

Elmer G. Houghton, Cranford.  
 Mary H. Jeffrey, Deal.  
 Arthur J. Halladay, Kenilworth.  
 Rufus O. Walling, Keyport.  
 Harold Pittis, Lakehurst.  
 Edward M. Sutton, Ocean City.  
 James A. Harris, Wildwood.  
 Jacob Feldman, Woodbine.

## NEW YORK.

Spencer K. Warnick, Amsterdam.  
 Earl J. Franklin, Belfast.  
 Frank O. Persons, East Aurora.  
 Roof D. Miller, Fort Plain.  
 William D. Shepard, Geneseo.  
 Hilda C. Tuma, Montauk.  
 Dennis Lamarche, Plattsburg.  
 William E. Mills, Rose Hill.  
 Brainard W. Russell, Windsor.  
 Ashmer R. Collins, Norwood.

## NORTH CAROLINA.

Charles F. Smathers, Canton.  
 Mattie C. Lewellyn, Walnut Cove.

## NORTH DAKOTA.

James E. Galehouse, Carrington.  
 Alfred B. Welch, Mandan.

## OHIO.

Oliver R. Gulker, Glandorf.  
 Paul H. Clark, Junction City.  
 Henry G. Moellenbrock, Olmstead Falls.

## OKLAHOMA.

Ellen K. Marchant, Aline.

## OREGON.

Arlington B. Watt, Amity.  
 Chester G. Coad, Dallas.  
 Oscar C. Maxwell, Elgin.  
 Thomas W. Angus, Gardiner.  
 Nellie G. Reed, Gold Hill.

## PENNSYLVANIA.

Joseph P. Fry, Allentown.  
 Howard C. Emigh, Morrisdale.  
 George D. Frey, Newville.  
 Jennie A. Hickernell, Schaefferstown.  
 Quinn T. Mickey, Shippensburg.  
 Robert H. Harris, Tamaqua.

## RHODE ISLAND.

William H. Godfrey, Apponaug.

## SOUTH DAKOTA.

Arnold Poulsen, Lennox.  
 Olof Nelson, Yankton.  
 Garfield G. Tunell, Mobridge.

## TENNESSEE.

Ira L. Presson, Camden.  
 Lulu M. Divine, Johnson City.

## TEXAS.

Edis T. Oliver, Caldwell.  
 Carlton A. Dickson, Cleburne.  
 Fred L. Brown, Plainview.

## WASHINGTON.

Alfred B. Brewster, Benton City.  
 Fred W. Hoover, Eatonville.  
 Thomas A. Graham, Goldendale.  
 Edward C. Campbell, Kettle Falls.  
 James F. Greer, Pe Ell.  
 Sydney Relton, Richland.  
 Edward A. Morris, Rockport.  
 Arthur A. Bousquet, Wenatchee.

## WEST VIRGINIA.

Monroe Burns, Cairo.  
 Henry E. Folluo, Glen Rogers.  
 Noah W. Russell, Lewisburg.  
 Oliver A. Locke, Milton.  
 Alma Hawks, McDowell.  
 J. Bascom McClure, Omar.  
 Robert E. L. Holt, Princeton.  
 Ben Wakeman, Ward.

## WYOMING.

Reuben A. Faulk, Lusk.  
 James Syme, Superior.  
 Alma N. Johnson, Yoder.

## WITHDRAWAL.

*Executive nomination withdrawn from the Senate March 1, 1923.*

## POSTMASTER.

Hans R. Jepsen to be postmaster at Minde, in the State of Nevada.

## REJECTION.

*Executive nomination rejected by the Senate March 1, 1923.*

## COMPTROLLER OF CUSTOMS.

Walter L. Cohen to be comptroller of customs, in district No. 20, with headquarters at New Orleans.

## HOUSE OF REPRESENTATIVES.

THURSDAY, March 1, 1923.

The House met at 12 o'clock noon and was called to order by Mr. CAMPBELL of Kansas as Speaker pro tempore.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

The Lord who gives us life replete with blessings, give us hearts replete with gratitude and inspire them with Thy spirit. Be gentle with us in our sins; teach us the beauty of the upper way. May Thy wisdom be adapted to our weakness, Thy knowledge to our ignorance, and Thy mercy to our needs. Impress us that the greatest rewards of good and useful living are not in external things, but in joy and in peace by the way.

Solemn, silent moment; a pillar has fallen. Again the silver cord is loosed, the golden bowl is broken. The pitcher and the wheel are shattered. O help us in our infirmities and claim us as Thine own. Bring to the sick and sorrowing a release from pain, and unto all the hurts of the heart may our answer be, "God is good." Amen.

The Journal of the proceedings of yesterday was read and approved.

## ARLINGTON MEMORIAL AMPHITHEATER.

The report of the Arlington Memorial Amphitheater Commission, with illustrations, was ordered printed.

## FARM CREDITS LEGISLATION.

The SPEAKER pro tempore. The unfinished business is the bill (S. 4280) to provide for the incorporation and supervision of corporations formed for the purpose of making agricultural and live-stock loans; to amend the Federal reserve act; to amend the Federal farm loan act; to extend and stabilize the market for United States bonds and other securities; to provide fiscal agents for the United States; and for other purposes, which the Chairman of the Committee of the Whole House on the state of the Union, by direction of that committee, has reported back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass. The previous question is ordered under the rule on the bill and amendment to final passage. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, and was read the third time.

Mr. LUCE. Mr. Speaker, I offer the following motion to recommit.

The Clerk read as follows:

Mr. LUCE moves to recommit the bill to the Committee on Banking and Currency with instructions to that committee to report the same back forthwith with the following amendment: On page 51, strike out section 208 and insert in lieu thereof the following:

"The capital and surplus of any farm-credit department, and the income derived therefrom shall be exempt from Federal, State, municipal, and local taxation, but such exemption shall not apply to any debentures or other obligations issued under authority of this title or to any income derived therefrom."

Mr. DOWELL. Mr. Speaker, I make the point of order that the motion to recommit is not in order for the reason that the section which the motion seeks to strike out has already been adopted by the House. It is not in order to strike out an amendment which has already been adopted by the House. This amendment has been adopted by the House because this is all in one amendment, and the House just adopted that amendment in toto. Therefore the motion to recommit by striking out a portion of the amendment is not in order.

Mr. LUCE. Mr. Speaker, an Irish member of the House of Commons said that the way to learn its rules was to break them. If in this motion I propose breaking the precedents of the House I shall be better informed hereafter. The Chair and his

adviser know much more about this than I do, and I merely desire to suggest that if the precedents prevent the application of a principle that was embodied in the rules of the House for the protection of minorities, and in order to accomplish the most salutary purposes, the precedents are unfortunate, and in my judgment should be now reversed.

The SPEAKER pro tempore. It is well settled by the precedents in the House of Representatives that an amendment once agreed upon by the House may not be amended on a motion to recommit. These rulings run through the precedents of the House of Representatives so far back that it is not necessary for the Chair even to make a review of them. The Chair sustains the point of order.

The question is on the passage of the bill.

Mr. McFADDEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 306, nays 36, answered "present" 2, not voting 82, as follows:

## YEAS—306.

Abernethy	Fairchild	Langley	Roach
Almon	Fairfield	Lanham	Robertson
Anderson	Faust	Lankford	Robison
Andrews, Nebr.	Favrot	Larsen, Ga.	Rodenberg
Anthony	Fess	Larson, Minn.	Rosenbloom
Appleby	Fields	Lawrence	Rouse
Aswell	Fish	Lazaro	Rucker
Atkeson	Fisher	Lea, Calif.	Sabath
Bacharach	Fitzgerald	Leatherwood	Sanders, Ind.
Bankhead	Focht	Lee, Ga.	Sanders, Tex.
Barbour	Fordney	Lee, N. Y.	Sandlin
Barkley	Foster	Lehlbach	Schall
Beck	Frear	Lineberger	Scott, Tenn.
Beedy	Free	Linthicum	Sears
Begg	French	Little	Shaw
Bell	Fuller	Logan	Shelton
Benham	Fulmer	London	Shreve
Bixler	Funk	Longworth	Siegel
Black	Gahn	Lowrey	Sinclair
Blakeney	Garrett, Tenn.	Lyon	Sinnot
Bland, Va.	Garrett, Tex.	McArthur	Sisson
Blanton	Gensman	McDuffie	Smith, Idaho
Boies	Gifford	McFadden	Smithwick
Bond	Gilbert	McKenzie	Snell
Bowers	Goldsbrough	McLaughlin, Nebr.	Snyder
Bowling	Goodykoontz	McLaughlin, Pa.	Speaks
Box	Gorman	McSwain	Sproul
Brand	Graham, Ill.	MacLafferty	Stegall
Briggs	Green, Iowa	Madden	Stedman
Brooks, Pa.	Griest	Magee	Steenerson
Buchanan	Griffin	Mansfield	Stevenson
Bulwinkle	Hadley	Mapes	Strong, Kans.
Burtness	Hammer	Martin	Strong, Pa.
Butler	Hardy, Colo.	Mead	Summers, Tex.
Byrnes, S. C.	Hardy, Tex.	Michener	Swank
Byrns, Tenn.	Haugen	Miller	Sweet
Cable	Hawes	Mills	Swing
Campbell, Kans.	Hawley	Mondell	Taylor, Ark.
Campbell, Pa.	Hays	Montague	Taylor, Colo.
Cannon	Henry	Moore, Ill.	Taylor, Tenn.
Cantrill	Herrick	Moore, Ohio	Ten Eyck
Carter	Hersey	Moore, Va.	Thompson
Chalmers	Hickey	Morgan	Tillman
Chidblom	Hicks	Morin	Timberlake
Christopherson	Himes	Mott	Tincher
Clague	Hoch	Murphy	Towner
Clarke, N. Y.	Hogan	Nelson, Me.	Turner
Clouse	Hooker	Nelson, A. P.	Tyson
Cole, Iowa	Huddleston	Nelson, J. M.	Upshaw
Cole, Ohio	Hudspeth	Newton, Minn.	Vallé
Collier	Hukriede	Newton, Mo.	Vestal
Collins	Hull	Norton	Vinson
Colton	Humphrey, Nebr.	O'Connor	Voigt
Connally, Tex.	Humphreys, Miss.	Oldfield	Volstead
Cooper, Ohio	Hutchinson	Oliver	Walters,
Cooper, Wis.	Ireland	Overstreet	Watson
Copley	James	Parker, N. Y.	Watson
Coughlin	Jefferts, Nebr.	Parks, Ark.	Weaver
Crampton	Jeffers, Ala.	Patterson, N. J.	Webster
Crisp	Johnson, Ky.	Paul	White, Kans.
Curry	Johnson, S. Dak.	Perlman	Williams, Ill.
Dallinger	Johnson, Wash.	Porter	Williamson
Darrow	Jones, Tex.	Pou	Wilson
Davis, Minn.	Kelley, Mich.	Pringey	Wingo
Davis, Tenn.	Kelly, Pa.	Purnell	Wise
Dickinson	Kendall	Quin	Woodruff
Dominick	Ketcham	Rainey, Ill.	Woods, Va.
Doughton	Kiess	Raker	Woodyard
Dowell	Kincheloe	Ramseyer	Wright
Drewry	Kissel	Rankin	Wyant
Driver	Klecza	Ransley	Yates
Dunbar	Kline, N. Y.	Rayburn	Young
Dunn	Kline, Pa.	Reece	Zihlman
Dyer	Knutson	Reed, N. Y.	
Echols	Kopp	Reed, W. Va.	
Elliot	Kunz	Rhodes	
Evans	Lampert	Ricketts	

## NAYS—36.

Ackerman	Edmonds	Greene, Mass.	Layton
Andrew, Mass.	Fenn	Greene, Vt.	Lucé
Burdick	Frothingham	Hill	MacGregor
Burton	Gustard	Husted	Merritt
Carew	Glynn	Kirkpatrick	Moore, Ind.
Deal	Graham, Pa.	Kreider	Parker, N. J.

Radcliffe  
Riordan  
Rogers

Stafford  
Stephens  
Tague

Taylor, N. J.  
Temple  
Tilson

Tucker  
Underhill  
Winslow

ANSWERED "PRESENT"—2.

Gallivan

Tinkham

NOT VOTING—82.

Ansorge

Denison

Luhning

Rosdale

Arentz

Drane

McClintic

Ryan

Bird

Dupré

McCormick

Sanders, N. Y.

Bland, Ind.

Ellis

McLaughlin, Mich.

Scott, Mich.

Brennan

Freeman

McPherson

Slomp

Britton

Garner

Maloney

Smith, Mich.

Brooks, Ill.

Gould

Michaelson

Stiness

Brown, Tenn.

Hayden

Mudd

Stoll

Browne, Wis.

Huck

Nolan

Sullivan

Burke

Jacoway

O'Brien

Summers, Wash.

Chandler, N. Y.

Johnson, Miss.

Ogden

Thomas

Chandler, Okla.

Jones, Pa.

Olpp

Thorpe

Clark, Fla.

Kahn

Paige

Treadway

Classon

Kearns

Park, Ga.

Ward, N. Y.

Codd

Keller

Patterson, Mo.

Ward, N. C.

Connolly, Pa.

Kennedy

Perkins

Wheeler

Crago

Kindred

Petersen

White, Me.

Crowther

King

Rainey, Ala.

Williams, Tex.

Cullen

Kitchen

Reber

Wood, Ind.

Dale

Knight

Riddick

Dempsey

Kraus

Rose

So the bill was passed.

The Clerk announced the following pairs:

Mr. McLaughlin of Michigan (for) with Mr. Tinkham (against).

Mr. McClintic (for) with Mr. Gallivan (against).

Further notice:

Mr. Treadway with Mr. Garner.

Mr. Denison with Mr. Rainey of Alabama.

Mr. Scott of Michigan with Mr. Johnson of Mississippi.

Mr. Paige with Mr. Kindred.

Mr. Browne of Wisconsin with Mr. Sullivan.

Mr. White of Maine with Mr. Cullen.

Mr. King with Mr. Clark of Florida.

Mr. Patterson of Missouri with Mr. Kitchen.

Mr. Crowther with Mr. O'Brien.

Mr. Dempsey with Mr. Stoll.

Mr. Michaelson with Mr. Thomas.

Mr. Mudd with Mr. Drane.

Mr. Connolly of Pennsylvania with Mr. Dupré.

Mr. Freeman with Mr. Ward of North Carolina.

Mr. Kearns with Mr. Williams of Texas.

Mr. Wood of Indiana with Mr. Jacoway.

Mr. Perkins with Mr. Park of Georgia.

Mr. DEMPSEY. Mr. Speaker, I desire to vote.

The SPEAKER pro tempore. Was the gentleman in the Hall and listening when his name was called?

Mr. DEMPSEY. I was in the Hall, but I am not sure I was here when my name was called.

The SPEAKER pro tempore. The gentleman does not come within the rule.

Mr. GALLIVAN. Mr. Speaker, on this roll call I voted "no." I find that I am paired with the gentleman from Oklahoma [Mr. McClintic]. If he were present he would vote "aye" and I voted "no." I desire to withdraw my vote and answer present.

The name of Mr. GALLIVAN was called and he answered "present."

Mr. TINKHAM. Mr. Speaker, I desire to withdraw my vote, as I find I am paired with the gentleman from Michigan [Mr. McLaughlin]. He would vote "aye" and I "no," and I answer present.

The name of Mr. TINKHAM was called and he answered "present."

The SPEAKER pro tempore. For what purpose does the gentleman from Kansas rise?

Mr. LITTLE. I rise to ask unanimous consent that I may speak for five minutes.

The SPEAKER pro tempore. In a minute.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. Without objection the title will be amended.

There was no objection.

On motion of Mr. McFADDEN, a motion to reconsider the vote by which the bill was passed was laid on the table.

## EXTENSION OF REMARKS.

Mr. TUCKER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on this bill.

Mr. WILSON. Mr. Speaker, I make the same request.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

Mr. GREENE of Vermont. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

Mr. CRAMTON. Mr. Speaker, I make the same request.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The extension of remarks referred to is here printed in full as follows:

Mr. CRAMTON. Mr. Speaker, we Americans are justly proud of America. We realize that America is to-day the greatest power in the world, the greatest military force in the world, the greatest industrial power, the greatest power in the world of finance, the great leader of all the world in humanity and civilization. But realizing these things as we do, we are likely to assume that that which is always will be, that because America to-day is the great leader of the world's civilization it always must occupy that high position.

In that great lecture, "The Lost Arts," which he delivered more than two thousand times, Wendell Phillips said:

"The most objectionable feature of our national character—and that is self-conceit, an undue appreciation of ourselves, an exaggerated estimate of our achievements, of our inventions, of our contributions to popular comfort, and of our place, in fact, in the great procession of the ages. We seem to imagine that whether knowledge will die with us or not, it certainly began with us. We have a pitying estimate, a tender pity, for the narrowness, ignorance, and darkness of the bygone ages. We seem to ourselves not only to monopolize but to have begun the era of light. In other words, we are all running over with a Fourth of July spirit of self-content."

And then he told of the evidences which remain of civilizations that were and are no more, of great powers that one time led the world's progress and are vanished. He told of the things which people in those bygone civilizations were able to do which we, with all of our progress, with all of our knowledge, are not able as yet to duplicate. He told of the making of a glass as pliable as cloth, of the wonderful tempering of steel, of work in the finer metals, of wonderful accomplishments which the archaeologist discovers as he explores the sands that cover great civilizations of other days.

#### WEAKNESS OF PAST CIVILIZATIONS.

The earliest pages of recorded history tell of great powers, of rulers with many millions of subjects, holding dominion over great empires, living in luxury and splendor with such omnipotence that they sometimes thought of themselves as gods, and now they are swallowed up in oblivion.

If I were speaking from a pulpit I might use a text; and if so, I would take one from the Psalmist where he glorifies God in that He gives strength to the weak and aid to the needy. And if I might have two texts, I would take the line from Ezekiel where he speaks of the great cities engulfed by the waters—the waters of oblivion, I take it.

I wandered once over the sands near Saloniki, the old Thessalonica of Bible days. I wandered about on those sands where now is but a desolate waste, but in the days of Alexander and Philip a great city stood, filled with pride in its power and beauty. I read recently of the excavations which Harvard is about to undertake in old Colophon, extinct for more than two thousand years but once one of the proudest of the 12 cities forming the Ionic Confederacy, claimed as the birthplace of Apelles, the greatest painter in oils of ancient times, and of Homer, whose fame will never die. I have wondered why these great powers of other days, these past civilizations, fell from pride into oblivion. The reason has seemed to me to lie in this—whatever may be our creed or faith, we must all recognize that an all-wise Providence rules the destiny of the world; and these empires that were but temporary, for all their pride and seeming omnipotence, lacked in that they did not serve God's purposes in the world and sank to oblivion because they did not give strength to the weak and aid to the needy.

#### THE PURPOSE OF DEMOCRACY.

When the founders of this great Republic framed its government they had before them all the pages of recorded history and they read this lesson which is repeated throughout—the lesson that whatever the form of government that has existed in any age of the world, that government has always been administered primarily in the interest of those who controlled the government. Such is human nature. In the days of Herod, a despot, himself controlling the government, he brought sorrow into thousands of homes by the killing of the male babes in order, as he thought, to protect his own throne. In days of class rule, the few administered the government primarily in their own interest with scant heed

to the rights or welfare of the many. In the French Revolution, when the very streets of Paris were said to run red with blood, when gentle women were bound upon the rude wooden carts and carried over the rough pavements to the guillotine, when kindness and pity seemed gone and men seemed turned to beasts, many have wondered. But there is less wonder if the first chapter is read first—if one reads how, under the rule of the few, the many had no rights that the nobility were bound to respect; how the nobles riding forth to the hunt might trample down the crops, destroying the labor of the past year and the hopes of the year to come, and there would be no redress for the peasant; how the most sacred rights of family might be invaded and for the peasant there was no justice. Mirabeau called the Revolution "the sudden, impetuous revenge of the many."

#### AMERICA'S FIRST GREAT EXPERIMENT.

And so with this lesson written on every page of history, the fathers of this Republic ventured to make this a democracy, a Government in which all should share in the ruling, a Government which, being controlled by all, should have as its primary concern the welfare and happiness of all. This was America's first great experiment, the world's first great adventure in real democracy. The whole world looked on with skepticism. Everywhere abroad was failure prophesied for this great American experiment. In the first place, it never had been done and that is for many sufficient proof that it never can be done. Your honest-to-goodness pessimist is the man who says that something which ought to be done can not be done because it never has been done, and furthermore he does not propose to do anything to help it to be done. Phillips tells us of the Englishman who in 1836 wrote a book in which he conclusively proved that a steamboat never could cross the Atlantic Ocean because it never had been done. The strange thing about it was that the first copy of that wise volume that came to America came on the first steamship that did cross the Atlantic. The spirit of America is rather that of the boy that Edgar Guest writes about:

"Somebody said that it couldn't be done  
But he with a chuckle replied  
That 'maybe it couldn't,' but he would be one  
Who wouldn't say so till he'd tried.  
So he buckled right in with the trace of a grin  
On his face. If he worried he hid it.  
He started to sing as he tackled the thing  
That couldn't be done, and he did it!"

The fathers of the Republic ventured to attempt the thing which they thought ought to be done. The Old World scoffed and said it could not succeed, that there would come days of mobocracy as in old Rome when the people would seek constantly from the Government games, triumphal marches, feasts, and largess from the Treasury, seeking always to receive from the Government and never willing to sacrifice anything for the common good. If such a day does come in America, when the people only expect to receive from the Government and are not willing to sacrifice for the common good, then has begun the end of this democracy. But such has not been the history of America. In every great emergency the many have been willing to yield in the interest of the common good, and so great has been the success of this democracy that now the Old World which once scoffed everywhere seeks to imitate. America's first great experiment is a proven success, accepted and approved of the whole world.

#### CONFLICT WITH ALCOHOL INEVITABLE.

It has seemed to me that it was inevitable that such a Government, founded to secure the happiness and welfare of all its people, must some time or other come to grips with the alcoholic liquor traffic. It is not for me here to prove to you the curse which that traffic has always been to the world. Those who sought its overthrow were always met with the old argument that alcohol could not be driven out, because it never had been done. We were told how from the earliest days of history and before, the traffic in alcoholic liquors had flourished in the world. Prohibition could not be because it never had been. That always emphasized in my mind the thought that the greatest condemnation of the alcoholic liquor traffic lay in this—that given thousands of years of experience with that traffic, no one could point to any one good thing it had ever given to the world. I will call only one witness to testify as to what are the outstanding accomplishments of alcohol as a beverage. In March, 1910, there was published in the Outlook Magazine an interesting exchange of letters on the subject of the saloon between Dr. Lyman Abbott and one T. M. Gilmore, then editor of Bonfort's Wine and Spirit Circular, president of the National Model License League, and

closely identified with the distillery business. In that correspondence debate this champion of the distillers' business said:

"I agree with the physician that the excessive use of alcohol is a prolific cause of disease; with the sociologist that it is a prolific cause of poverty; with the penologist that it is a prolific cause of crime."

A prolific cause of crime, poverty, and disease! Can you imagine a people free from crime, poverty, and disease? How happy would be such a land! How then could a government, pledged to secure the happiness and welfare of all its people, fail to make the attempt to eliminate that which is a prolific cause of these great enemies of human happiness and welfare? True, it never had been done but that does not quiet the spirit of America.

#### WOMAN AND THE SALOON.

It is only a few years ago that in my little town of Lapeer there were 10 or 12 saloons. There met once or twice a month an organization of women, a Woman's Christian Temperance Union, with probably not more than 10 or 12 women at the average meeting. These women were consecrated to the destruction of the traffic in alcoholic liquors. It seemed a most unequal contest between the saloons, established by law, protected by law, and in many cases dominating the very Government itself, and those women without the vote or voice in their Government. I dare say that very few, if any, of those women, with all their faith, ever dared to hope that they would live to see the day when the saloon would be driven out of America. But that day did come when the people of this great democracy, founded to secure the happiness and welfare of all its people, wrote in their fundamental law a declaration that that which is a prolific cause of crime, poverty, and disease, an enemy of human happiness and welfare, would no longer be tolerated anywhere in this country, and the eighteenth amendment became a part of the Constitution of the United States. Then before all the world, America became committed in the most solemn way possible to another great experiment.

#### ANOTHER GREAT AMERICAN EXPERIMENT.

The issue now before America is whether that great experiment shall be a splendid success, pointing the way for greater happiness for all the world, or a failure involving in its own doom the shame of democracy itself.

#### RESULTS OF PROHIBITION.

It is not my purpose now to survey the results already accomplished by national prohibition in America. They are sufficiently great to justify the efforts made to bring it about, the efforts that are necessary to sustain and maintain it. President Harding summed it up eloquently in this:

"In every community men and women have had an opportunity now to know what prohibition means. They know that debts are more promptly paid; that men take home the wages once wasted in saloons; that families are better clothed and fed, and more money finds its way into the savings banks. The liquor traffic was destructive of much that was most precious in American life. In the face of so much evidence on that point, what conscientious man would want to let his own selfish desires influence him to vote to bring it back? In another generation, I believe, liquor will have disappeared not merely from our politics but from our memories."

#### GOIN' T' BRING BOOZE BACK.

Abe Martin, in one of his evening lines of humor, says:

"Th' ole fashioned candidate that used t' promise t' reduce taxes now has a son runnin' fer office that's goin' t' bring booze back."

A year ago there became apparent a great effort to defeat prohibition. Forty organizations or more were formed to contest prohibition, some of them hardly living long enough for the country to know that they had been born. These organizations, formed in the early months of 1922, had for their first object the election of a wet Congress. The present Congress is three to one dry on any question that comes up affecting prohibition. But these hopeful and vociferous wets were sure last January that the Sixty-eighth Congress would be wet. So beer-and-wine candidates became numerous in all of the early primaries. It seemed reasonable then to expect that while the West and South and North, that had experimented for some time in prohibition—local, county, and State—would hold firm to the faith, that the eastern sections, that had not had a similar experience, would show decisive reaction. The returns from the Pennsylvania primary in early June knocked all hopes of the wets into a cocked hat. In these primaries not a single beer-and-wine candidate in the great State of Pennsylvania was able to dislodge a dry Congressman, not even in the Pitts-

burgh district, represented by Hon. CLYDE KELLY, probably the greatest industrial district in the United States. This district is made up almost entirely of miners, steel laborers, and others similarly engaged. Mr. KELLY was opposed by a beer-and-wine candidate and has this to say of the contest:

"In my own district I saw the power of the outlaws and the power of the people. The Allegheny County Liquor Dealers' Association, whose very existence is an insulting challenge to the Constitution and laws of this country, officially endorsed my opponent and supplied him with large sums of money, levied from license holders and bootleggers. Seventy-five thousand dollars was expended and every method known to polecat fighters was brought into use."

He was renominated on the Republican ticket by a majority of 11,900, by a vote of three to one on the Democratic ticket, and secured all the votes on the Prohibition ticket. Similar results followed elsewhere in the primaries. In the election the dries suffered a net loss of six or eight only in the House and made a net gain of three seats in the Senate. It is assured that the Sixty-eighth Congress will be substantially as dry as the present Congress.

#### EIGHTEENTH AMENDMENT CONSTITUTIONAL.

But these wet organizations are at work; a paid propaganda is flooding the country; a great campaign is on. It is urged that the eighteenth amendment is not constitutional, that it conflicts with the fifth or the sixth or other amendments of the Constitution. It does not conflict with any other part of the Constitution. It is, as I have emphasized, entirely in harmony with the very essence of the underlying principles of our Government. But if there should be any conflict, it is to be remembered that the portion of the Constitution last adopted would repeal anything in earlier portions in conflict with it, and would constitute a repeal in so far as there existed any conflict. Therefore, the eighteenth amendment is the most constitutional part of the Constitution, unless it be the nineteenth amendment extending the right of suffrage to women, and I have not as yet observed any conflict between the votes of the women and national prohibition.

#### REPRESENTS VIEWS OF SUBSTANTIAL MAJORITY.

It is urged that the eighteenth amendment does not represent the sentiment of the people of the United States; that something was put over on the wets during the war and when the boys were in the military service. This overlooks entirely the long campaign for scores of years to bring about prohibition, the rapid spread of the movement from 1910 and the years immediately following. Many States had gone dry when, on November 7, 1916, Michigan, one of the greatest industrial States in the Union, adopted state-wide prohibition by a majority of 68,624. That was before any of our boys had entered the military service in the great war. It is interesting to note that in that vote the urban population, living in cities of 10,000 population or more, gave a majority of 12,334 in favor of prohibition. After state-wide prohibition had been in effect a year, the wets brought on a vote proposing the return of beer and wine, and in the election of April 7, 1919, when a great number of the boys had been discharged from the military service, the return of even beer and wine was overwhelmingly rejected by a vote of 530,123 against to 322,603 for, or a majority of 207,520 against beer and wine. In that election only two of all the cities gave any majority whatever for beer and wine. The great industrial State, Ohio, adopted state-wide prohibition by 25,759 in 1918, and in the November election of 1922, after more than two years of national prohibition, with everyone out of the military service, a proposal to return beer and wine was defeated by a majority of 189,000, with only 7 counties out of 88 in the State giving any majority for beer and wine. Such cities as East Liverpool, Columbus, Ashtabula, Youngstown, and Akron voted to sustain the eighteenth amendment.

The amendment, when submitted, received the vote of 281 members of the House against 128, and in the Senate 65 members as against 20. On the question of ratification in the various State legislatures, 1,288 members of the State senates voted for ratification and 213 against. In the various houses of representatives, 3,739 voted for ratification and 934 against, or a total of 86 per cent voting for ratification in the State senates and 80 per cent in the houses of representatives. In all, 46 States ratified the eighteenth amendment, the greatest number that have ratified any amendment to the Constitution. When the eighteenth amendment was adopted, 33 States were already dry, and 2,338 counties were dry out of 3,032. Over 90 per cent of the area of the United States was dry and over 60 per cent of the population of the United States was living in such arid area. It is but puerile piffle that the country was taken by

surprise or that the eighteenth amendment is founded on anything but the deliberate judgment of an overwhelming majority of the people of this democracy.

#### WETS OPPOSE ENFORCEMENT.

The great issue now before the American people is whether law and order shall prevail; whether the Constitution shall be respected and obeyed, or whether the bootleggers and the booze beggars shall be able to dictate to Uncle Sam. The most conspicuous of the principal organizations opposed to prohibition is the Association Against the Prohibition Amendment. In the circular of that organization dated March 1, 1922, which I now have in my hand, the program of that organization is announced as follows:

"A. To get the Volstead Act out of the law and keep it out.  
"B. To oppose the passage of similar tyrannical laws, and to endeavor to have the enforcement of the eighteenth amendment (so long as it remains in force) left to the people of the several States under the 'concurrent' clause.  
"C. To work patiently, lawfully, fairly, and patriotically for the repeal of the prohibition amendment, and in the hope that the Constitution of the United States will hereafter be preserved from mutilation by an organized fanatical minority."

#### AMENDMENT CAN NOT BE REPEALED.

The repeal of the prohibition amendment is very remote as was recently declared by President Harding. Neither Stayton of Baltimore, nor any of the other functionaries of the association can have any hope of bringing about repeal of the eighteenth amendment in 50 years. In order to secure the ratification of the amendment it was necessary to get the support of both branches of the legislatures in 36, or three-fourths of the States. If one branch of the legislature in each of 13 States had stood out against ratification, the amendment would never have become a part of the Constitution. The wets were unable to find 13 States in which one branch of the legislature would stand in the way of the amendment, but on the contrary there were 46 States in which both branches voted to ratify, or in all 92 houses of representatives and State senates indorsed the eighteenth amendment. In order to secure a repeal of the amendment the 13 bodies that could have prevented ratification of the amendment will now be woefully insufficient. Instead there must be 72 legislative bodies in 36 States voting together for a resolution of repeal, first submitted by the Congress, before the eighteenth amendment can be taken out of the Constitution. Manifestly, our wet friends, having been unable but recently to stop the march of civilization by the action of 13 State legislative bodies, can not hope in this generation or the next to get 72 such bodies to undo this great legislative reform.

#### NULLIFICATION IS THE WET PROGRAM.

As a matter of fact, they have no illusions about this. None of these wet agitators have any expectation of repeal. What they desire, what they urge, what they plan, is nullification of the Constitution of the United States. And the program of the Association Against the Prohibition Amendment, if you will note, proposes in Paragraph A to eliminate the Volstead Act and eliminate Federal enforcement of the eighteenth amendment. Paragraph B urges that enforcement be left entirely to the people of the several States. There are but two States in the Union that have no State enforcement code to carry into effect the eighteenth amendment. One of these is Maryland, the home of Stayton, the managing director of the Association Against the Prohibition Amendment, and of Hon. JOHN PHILIP HILL, Member of Congress from Baltimore, and designated spokesman in Congress for that association. Recently an effort was made to secure in Maryland a State law to enforce prohibition. The Hon. JOHN PHILIP HILL was the leader of the fight against such enactment before the legislature, and the Association Against the Prohibition Amendment in Maryland, as everywhere else, is actively opposed to the enactment of any law for enforcement of the eighteenth amendment, and actively engaged everywhere in an attempt to repeal or to destroy any law now in existence for that end. The program of these enemies of the eighteenth amendment is nullification, nothing more nor less. This organization is in effect a "league to aid bootleggers."

#### ISSUE IS NOW LAW AND ORDER.

There was a time when you and I perhaps differed on the question of prohibition. I think we always agreed as to its desirability, but we may very well have differed in our judgment as to its feasibility. But the time for such difference of opinion is past. While you and I may have differed on the question of the feasibility of prohibition, I can not conceive how you and I as good Americans can now differ on this issue of

respect and obedience for the fundamental law of America. It was but a few days ago that the Chief Justice of the Supreme Court of the United States, the Hon. William Howard Taft, speaking before the Washington Alumni Association of Yale, said this:

"This great period has many disquieting symptoms which in themselves constitute a period of lawlessness and even protests against law. The safety of society is in obedience to law. If you like the law or not, as long as it is regularly adopted, it is our business to obey it. To obey the law is to be a true democrat. If every man thinks every law must suit him in order to obey it, he is not a democrat, but an anarchist. The basis of good government is obedience to law as people have determined it to be. Young men should be trained to know that to be patriotic and democratic members of society, they must realize not only what it means to obey, but to instill the act of obedience in others."

#### VOLSTEAD OPPONENTS SET BAD EXAMPLE TO ALIENS.

A great Democrat, Hon. Thomas R. Marshall, former Vice President of the United States, who did not favor the adoption of the eighteenth amendment, in a signed article in the Washington Star of January 27, 1923, said:

"When citizens of foreign birth note the attitude of mind and observe the conduct of other citizens, who appear to be leaders in all walks of life, toward the Volstead law, what ideas do they gain about this Government, what impression do they receive as to the kind of Americans they ought to be? We are going to have much difficulty in teaching our foreign-born man to be a law-abiding citizen so long as he has examples of so-called good citizens who reserve the right to eliminate certain laws from among those which they voluntarily obey. And we are doing a very bad thing when we tell him that the law can not be enforced. That should not be said of any law, and no law should be repealed because it can not be enforced. It should be enforced to the strictest letter of it until citizens, voluntarily obeying it, go about its repeal in an orderly manner. We do not make Christians by teaching them to mumble creeds. We can not make Americans out of foreigners by teaching them principles and at the same time showing them that loyalty to them is merely lip service. We will make of them good Americans only when we keep and enforce our laws."

#### THE EAST IS THE FIRING LINE.

Out in our part of the country this Baltimore organization does not get far with its propaganda. We are experienced in the blessings of prohibition, for it is no new thing with us. Mount Clemens, in my district, a great health resort whose baths are famous throughout the world, was in the old days pretty wet in its sentiment. Last April the Association Against the Prohibition Amendment sought to organize a county branch there. Full page ads were resorted to and a canvass was made for sale of tickets for a banquet where \$4 would pay for a splendid dinner and membership and paid-up dues in the association and a badge would be thrown in free. A total of 80 tickets was sold after considerable effort and the night of the banquet, so the local papers stated, there were only 32 present and 48 vacant chairs, one for each State in the Union.

But the great firing line in this contest is in the East—New York, Massachusetts, New Jersey, Pennsylvania, Maryland—and there this organization seems to meet with greater success in its raising of funds toward a seven million dollar pot and its influence on elections.

#### "BEER AND WINE NOW."

Their immediate program is "beer and wine now." Knowing they can not repeal the eighteenth amendment, that they can not repeal the Volstead Act, they propose a nullification of the Volstead Act to permit the sale of beer with 2.75 per cent alcohol and wine with 14 per cent alcohol. Such an amendment to the Volstead Act would be unconstitutional. The eighteenth amendment prohibits "the manufacture, sale, or transportation of intoxicating liquors within, the importation thereof into, and the exportation thereof from, the United States and all territories subject to the jurisdiction thereof, for beverage purposes." It is manifest that any amendment of the Volstead Act that seeks to legalize the sale of a liquor which is intoxicating would be contrary to that amendment and hence unconstitutional. The Volstead Act forbids sale of any liquor having over one-half of 1 per cent of alcohol. That standard was adopted because the experience in the States that had adopted it clearly demonstrated that a higher percentage made prohibition enforcement impossible. Thirty-four States had already adopted a limitation of one-half of

1 per cent or less. The Supreme Court of the United States in an opinion delivered by Justice Brandeis said:

"The decision of the courts, as well as the action of the legislatures, make it clear \* \* \* that a rigid classification of beverages is an essential for \* \* \* effective prohibition of intoxicating liquor. A test often used \* \* \* is whether it contains one-half of 1 per cent by volume."

The court then called attention to the fact that the Federal Government would have the same difficulties in enforcement as the States, and referred to the definitions of over 30 States which have as strong or stronger definitions than the Volstead Act. The court then said:

"It is therefore \* \* \* clear \* \* \* that the definition provided by the Volstead Act was not an arbitrary one."

BEER AND WINE, NEVER.

Admittedly, beer containing one-half of 1 per cent of alcohol is not intoxicating, but the purpose of Congress was not to secure a limitation that is intoxicating but to secure one that is not intoxicating. Recently in the United States District Court in St. Louis the judge held that the court would take judicial notice of the fact that beer of the sort there involved (about 4 per cent) is an intoxicating liquor. The difference in the intoxicating effect between 4 per cent beer and 2.75 beer would only involve the drinking of a little more to secure the same intoxicating effect. Anyone who has read the eighteenth amendment or has given any consideration to the decisions of the United States Supreme Court knows very well that that tribunal would very promptly hold unconstitutional any beer and wine amendment to the Volstead Act. But the enactment of such an amendment by Congress would be destructive of national confidence in enforcement of the law, and it is very fortunate that there is every assurance that the next Congress will give no more serious consideration to such defiance of the Constitution than has this. Beer and wine may be an effective plea to get votes in New York, in New Jersey, or in Massachusetts, but the officials elected by such votes can not deliver the goods in return.

FOR BETTER ENFORCEMENT.

The great issue of the present is not a legislative one. It is one of education to secure enforcement of law, to increase respect for law, to vindicate the majesty of the Constitution of the United States. There are details in this problem of enforcement to be taken care of. Ministers of foreign Governments must come to realize that habitual violation of our fundamental law will end their usefulness. Our jurisdiction over the waters of the oceans to the east and to the west of us must be asserted a sufficient distance from our shores to enable us to maintain our sovereignty in our own country. Every agency of the Government should be called into action to guard against smuggling upon our boundaries. Politics should be absolutely eliminated from the selection and retention of men charged with enforcement of the Volstead Act. No Congressman and no Senator should be permitted to secure the appointment or prevent the discharge of an undesirable, untrustworthy agent of the commissioner charged with enforcement of the eighteenth amendment.

DEPORT THE ALIEN VIOLATOR.

It is one big question of enforcement of the law and respect for the Constitution. Neither you nor I have any right to say that we like one part of the Constitution and that we will respect; that another part we do not like and that we will not respect or obey. The vilest criminal no doubt obeys the laws that he wishes to obey. His criminality begins when he transgresses the laws which he does not want to obey. Recently in Congress there was pending in the House a bill that proposed the deportation of aliens convicted of violating our laws against sale of narcotics and intoxicating liquors. Prohibition Commissioner Haynes has said that 80 per cent of the liquor law violation is by aliens. I ventured to say in that debate that if a man comes to America from some foreign land, a land where there was little of opportunity for him or his children; but in some way he got together enough to bring him to this great land of opportunity, and after spending a period of probation, as our Methodist friends have it, and still not having taken upon himself the responsibilities of citizenship, having taken no obligation to defend our flag in time of war or support our institutions—if such a man persistently violates our laws and shows his contempt for the institutions of the land that gave him opportunity instead of lifelong lack of opportunity, the sooner such a man is sent back to the land from which he came the better.

THE CODE OF AMERICANISM.

But what will you say of the man who was born in this country; who has from his earliest hours enjoyed the privilege of an American home, better than any other home in the

world; who has enjoyed the privilege of an American church, a little broader than any other church in the world; who has enjoyed the privilege of an American school where in another land there might have been no school at all; the privilege of American community life, giving more pleasure and inspiration than community life in any other place? If an American, enjoying all these privileges that have been made possible for him by the sacrifice and toil of patriots and pioneers, is still content to enjoy all the blessings that America has for him and in return can not even give respect to the fundamental law of his Nation, what do you say of him? The pity is there is no place to send such a one. We can at least educate our Nation to realize that such a one is lacking in Americanism. During the war we heard mention of 100 per cent Americanism. I used to think sometimes that those who prated the most about their 100 per cent Americanism knew more about percentage than they did about Americanism. What is Americanism? Where do you find it written down in black and white so that you may teach it to your children? It is in the Constitution of the United States. That is the great code of Americanism. There it is that the people of this great democracy have from time to time written down their great ideals of government. In earlier days they wrote there that your property can not be taken without due process of law; that a man can not be punished for crime except after trial by a jury of his peers. Finally, under the leadership of the great Lincoln, they wrote that one should not hold his fellow in bondage. Then under the leadership of the women of America, that one man should not sell to another that which would enslave and ruin him. It is all one great code from the earliest word of its preamble to its latest amendment, and he who would be a 100 per cent American must give love, respect, and obedience to that great document from end to end. The American creed closes:

"I therefore believe it is my duty to my country to love it; to support its Constitution; to obey its laws; to respect its flag; and to defend it against all enemies."

CIVILIZATION IS LAW AND ORDER.

Attorney General Daugherty, before the American Bar Association, said:

"Respect for law is the one essential fact of our civilization. Without it life, liberty, and property are insecure. The history of civilization has been a continuous struggle for law and order. \* \* \* The Government will endure on the rock of law enforcement or it will perish in the quicksand of lawlessness."

With us a reasonable measure of law and order has been so commonplace that we have failed to appreciate its blessings. A few years ago, during the Great War, I was traveling in southern Albania, one of the oldest countries of Europe, its people intelligent, active, and possessing great possibilities of progress under proper conditions. For half a thousand years they were under the Turk, who cared nothing for their welfare or their development and sought only the taxes that could be wrung from them. In 1912 they won their independence, but, lacking a stable government, anarchy and lawlessness prevailed throughout the country. As the World War progressed, the Austrians occupied the northern half of the country, the Italians the southern portion. There the Italians established law and order, and the great landowner with whom I talked told me that his tenants renting land upon shares were producing from the same land three times as much as they had in the old days of lawlessness. Under law and order established by the Italians, the man who sowed knew that he would reap. They were appreciating law and order recently established. We would appreciate it the more when too late if lawlessness succeeded generally to law and order in this country.

THE TEST OF RESPECT FOR LAW.

When governor of New York, Hon. Charles E. Hughes, now Secretary of State, said, in 1908:

"Everybody is ready to sustain the laws he likes. That is not, in the proper sense, respect for law and order. The test of respect for law is where the law is upheld even though it hurts. And we can't afford in this country, and in this State, to have a constitutional provision, which is the fundamental law of the land, ignored, betrayed. Therefore, I say that what the people have said in their Constitution must be enforced, and it is the duty of the legislature and of the governor and of the citizens to see to that enforcement."

LINCOLN'S APPEAL.

In an address at Springfield, Ill., January 27, 1837, the immortal Lincoln said:

"Let every American, every lover of liberty, every well wisher of posterity, swear by the blood of the Revolution never

to violate in the least particular the laws of our country, or to tolerate their violation by others. As the patriots of '76 did to the Declaration of Independence, so to the support of the Constitution and the laws let every American pledge his life, his property, and his sacred honor. Let everyone remember that he who violates the laws of the land tramples on the blood of the fathers, and tears in sunder the charter of his own and his children's liberty. Let reverence for the laws be breathed by every American mother to the lisping babe that prattles on her lap; let it be taught in schools, in seminaries, and in colleges; let it be written in primers, spelling books, and in almanacs; let it be preached from the pulpits, proclaimed in legislative halls, and enforced in courts of justice, and, in short, let it become the political religion of the Nation."

#### SACRIFICE IN PEACE AS IN WAR.

This great struggle in defense of our institutions, in behalf of respect for the supreme law of the land, may entail some small sacrifices upon us, some inconvenience, some interference with our established habits, some criticism of associates, the occasional loss of a customer or a vote; may even seem to stand in the way of the accomplishment of fame or fortune. But the great thing that Americans need to understand is that the citizen owes as much to his country in peace as in war. Peace has its responsibilities for the citizen no less great than those of war. We have seen how ready our people are to give up their money, to give up their sons, to give up their lives for the common cause, for the good of the Nation in time of war. But it is argued that for the common good the difference between one-half of 1 per cent and 2.75 per cent of alcohol in a glass of beer is not to be sacrificed. How cheap is such patriotism! Peace is the normal mission for America, not war. War is justified only to defend the existence of our country, to defend its institutions. It is but subsidiary to peace. The war is but occasional. Peace we hope to have always. Do not underestimate the responsibilities of peace.

During the war I visited our splendid Thirty-second Division just after the wonderful drive they had made in early August, 1918, driving the Germans back from Courmont to Fismes. It was but a few days after that drive when I visited them in their rest camp, a few miles back of Fismes. Early in the morning with the chaplain and the major I went across the fields to a number of graves newly made where boys from my own district were wrapped in the soil of France. As I stood beside these graves one of the soldiers showed me a snapshot of Walter Taylor, buried there, and the girl in Lapeer he was to have married on his return from the war. I realized then that life had meant as much to Taylor as to you or to me; that he owed nothing more of devotion to the cause of democracy or the country or the flag than do you or I; but he made the 100 per cent sacrifice while you and I are permitted to enjoy the blessings of a democracy made more secure. As I stood there I wondered whether there was in America a people worthy of such sacrifices.

That is the issue that is now before America, that is now before you and me—whether in this emergency of peace we are going to meet our responsibilities, perform our duties of citizenship with something of the same spirit of sacrifice as did many thousands in time of war.

I met a French general to whom one of our party spoke of the glory the commander had won in the war. He responded: "It is not my glory. We are simply the guardians of glory of others."

Those in khaki and in blue guarded the glory of America in time of war so that our banner flies with a brighter gleam in the stars than ever before. But shall there be no one to guard the glory of America in time of peace? That is your privilege and responsibility and mine. Make this second great experiment of America a glorious success to the end that throughout the world the liquor traffic, prolific cause of crime, poverty, and disease, shall everywhere be doomed. Give strength to the weak and aid to the needy. Secure the greatest possible happiness for the many.

#### ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RICKETTS, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

- H. R. 370. An act for the relief of Charles W. Mugler;
- H. R. 962. An act for the relief of the heirs of Robert Laird McCormick, deceased;
- H. R. 1290. An act for the relief of Cornelius Dugan;

H. R. 2702. An act for the relief of J. W. Glidden and E. F. Hobbs;

H. R. 4421. An act for the relief of John Albrecht;

H. R. 5251. An act for the relief of Ruperto Vilche;

H. R. 6538. An act for the relief of Grey Skipwith;

H. R. 6358. An act authorizing the accounting officers of the Treasury to pay to A. E. Ackerman the pay and allowances of his rank for services performed prior to the approval of his bond by the Secretary of the Navy;

H. R. 6423. An act to detach Pecos County, in the State of Texas, from Del Rio division of the western judicial district of Texas and attach same to the El Paso division of the western judicial district of said State;

H. R. 6954. An act fixing rates of postage on certain kinds of printed matter;

H. R. 7010. An act for the relief of the Southern Transportation Co.;

H. R. 7053. An act to grant certain lands to the city of Canon City, Colo., for a public park;

H. R. 7322. An act for the relief of John F. Homen;

H. R. 7967. An act granting certain lands to Escambia County, Fla., for a public park;

H. R. 8046. An act for the relief of Themis Christ;

H. R. 8448. An act for the relief of Joseph Zitek;

H. R. 8921. An act for the relief of Ellen McNamara;

H. R. 9309. An act for the relief of the Neah Bay Dock Co., a corporation;

H. R. 9862. An act for the relief of the Fred E. Jones Dredging Co.;

H. R. 9944. An act for the relief of Vincent L. Keating;

H. R. 10003. An act to further amend and modify the war risk insurance act;

H. R. 10047. An act for the relief of Frances Martin;

H. R. 10179. An act for the relief of Americus Enfield;

H. R. 10287. An act for the relief of John Calvin Starr;

H. R. 10816. An act to fix the annual salary of the collector of customs for the district of North Carolina;

H. R. 11340. An act to advance Maj. Ralph S. Keyser on the lineal list of officers of the United States Marine Corps so that he will take rank next after Maj. John R. Henley;

H. R. 11579. An act to amend section 1 of an act approved January 11, 1922, entitled "An act to permit the city of Chicago to acquire real estate of the United States of America";

H. R. 11603. An act to validate for certain purposes the revocation of discharge orders of Lieut. Col. James M. Palmer and the orders restoring such officer to his former rank and command;

H. R. 11637. An act authorizing the Secretary of the Interior to approve indemnity selections in exchange for described granted school lands;

H. R. 11738. An act for the relief of Maj. Russell B. Putnam;

H. R. 12751. An act to convey to the Big Rock Stone & Construction Co. a portion of the hospital reservation of United States Veterans' Hospital No. 78 (Fort Logan H. Roots) in the State of Arkansas;

H. R. 13032. An act to authorize the sale of the Montreal River Lighthouse Reservation, Mich., to the Gogebic County Board of the American Legion, Bessemer, Mich.;

H. R. 13272. An act granting a license to the city of Miami Beach, Fla., to construct a drain for sewage across certain Government lands;

H. R. 13326. An act in reference to a national military park at Yorktown, Va.;

H. R. 13827. An act relating to the sinking fund for bonds and notes of the United States;

H. R. 14081. An act granting the consent of Congress to the Valley Transfer Railway Co., a corporation, to construct three bridges and approaches thereto across the junction of the Minnesota and Mississippi Rivers, at points suitable to the interests of navigation;

H. R. 14249. An act for the relief of the owners of the American schooner *Mount Hope*;

H. R. 13793. An act making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1924, and for other purposes; and

H. J. Res. 47. Joint resolution authorizing the Secretary of the Navy to receive for instruction at the United States Naval Academy at Annapolis Mr. Jose A. de la Torriente, a citizen of Cuba.

BUSTS OF THE LATE CHAMP CLARK AND THE LATE JAMES R. MANN.

Mr. MADDEN. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

House Resolution 568.

Resolved, That the sum of \$4,000 is authorized to be paid from the contingent fund of the House for the procurement of a marble bust of Champ Clark, late a Representative from the State of Missouri, and a marble bust of James R. Mann, late a Representative from the State of Illinois. The expenditure of the sum herein authorized shall be made under the direction of the Committee on the Library.

The SPEAKER pro tempore. Is there objection to the consideration of the resolution? [After a pause.] The Chair hears none.

The question was taken, and the resolution was agreed to.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested.

S. 4245. An act to provide the necessary organization of the customs service for an adequate administration and enforcement of the tariff act of 1922 and all other customs revenue laws;

S. 4425. An act to authorize appropriations for the relief of certain officers of the Army of the United States;

S. 4396. An act for the relief of Eldredge & Mason, of Malone, N. Y.;

S. J. Res. 277. Joint resolution granting permission for the erection of a monument to symbolize the national game of baseball;

S. J. Res. 287. Joint resolution creating the joint commission of gold and silver inquiry;

S. 4160. An act to amend the act of Congress entitled "An act to establish a commission for the purpose of securing information in connection with questions relative to interstate commerce in coal, and for other purposes, approved September 22, 1922";

S. 4631. An act granting the consent of Congress to the counties of Bowie and Cass, State of Texas, for construction of a bridge across Sulphur River at or near Paces Ferry, in said counties and State;

S. 3855. An act to quiet the title to lands within Pueblo Indian land grants, and for other purposes;

S. 1847. An act to amend an act approved February 12, 1901, entitled "An act to provide for eliminating certain grade crossings on the line of the Baltimore & Potomac Railroad Co. in the city of Washington, D. C., and requiring said company to depress and elevate its tracks, and to enable it to relocate parts of its railroad therein, and for other purposes";

S. 4119. An act authorizing the erection in the city of Washington of a monument in memory of the faithful colored mamies of the South;

S. 4638. An act authorizing the Great Northern Railway Co. to maintain and operate or reconstruct, maintain, and operate its bridge across the Columbia River at Marcus, in the State of Washington; and

S. J. Res. 283. Joint resolution directing the Public Utilities Commission of the District of Columbia to investigate rates charged by taxicabs and automobiles for hire.

The message also announced that the Senate had passed without amendment bill and joint resolution of the following titles:

H. J. Res. 453. Joint resolution requesting the President to urge upon the governments of certain nations the immediate necessity of limiting the production of habit-forming narcotic drugs and the raw materials from which they are made to the amount actually required for strictly medicinal and scientific purposes; and

H. R. 13554. An act authorizing the construction, maintenance, and operation of a dam and appurtenant intake and outlet structures across or in the Potomac River at or near Williamsport, Washington County, Md.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 4197) to authorize the Secretary of the Interior to issue to certain persons and certain corporations permits to explore or leases of certain lands that lie south of the medial line of the main channel of Red River, in Oklahoma, and for other purposes.

The message also announced that the Senate had passed with amendment joint resolution of the following title, in which the concurrence of the House of Representatives was requested:

H. J. Res. 422. Joint resolution permitting the entry, free of duty, of certain domestic animals which have crossed the boundary line into foreign countries.

PERMISSION TO ADDRESS THE HOUSE.

Mr. LITTLE. Mr. Speaker, I rise to ask permission to ask unanimous consent to address the House for five minutes.

Mr. MONDELL. On what subject?

Mr. LITTLE. To answer a question put here the other day as to how much the code bill cost.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

Mr. LITTLE. Mr. Speaker, last Saturday there was some inquiry in the House as to the expenses of the preparation and publication of the act to establish a Federal Code. I am glad that I am able to state to the House that whether the Federal Code is completed or not, it would not cost the taxpayers of this country a nickel, but on the contrary will show a clean profit of money put in the Treasury of over a quarter of a million dollars. If you will turn to the CONGRESSIONAL RECORD of April 10, 1920, you will get the information in detail from Mr. SLEMP, chairman of the Ordnance and Fortifications Subcommittee of Appropriations. On page 5505 of the RECORD Mr. SLEMP said:

I will say in reply to the gentleman that the War Department withdrew the estimate of \$58,500 for that board for the coming fiscal year and will return to the Treasury Department the unexpended balance in that fund of \$230,000, or a total of \$288,500, so that the gentleman is responsible for saving to the Treasury \$288,500.

The inquiry was made by myself, with regard to the Bureau of Ordnance and Fortifications. The gentleman from Kansas had called the Secretary of War's attention to the fact that the annual appropriation for that bureau was not authorized by law. The chairman of the revision committee said that if Secretary Baker would have such a bill prepared and introduced the chairman would cheerfully support it, but unless that bill was introduced the chairman on revision would make the point of order that there was no authorization for such an appropriation. Mr. Baker withdrew the request for the appropriation, as Mr. SLEMP says, and it was discovered that fund was then \$230,000, which was returned to the Treasury, and the taxpayers were saved that amount.

The same year the chairman of the revision committee called the attention of the chairman of the Military Affairs Committee to an item in his bill preparing to make the annual appropriation of \$10,000 for the military people to make a military code and suggested that the Military Committee had no such authority; that those funds under the law were required to go to the Revision of Laws Committee, and Mr. KAHN said he would withdraw it. The gentleman from Illinois [Mr. MADDEN] that afternoon made the point of order and the \$10,000 was stricken out and the annual appropriation discontinued.

The annual appropriation of \$58,500 and \$10,000 made, of course, \$68,500 that has been saved ever since and will be saved hereafter. Five years of annual savings of \$68,500 constitutes already a saving of \$342,500. This annual saving will continue. Adding to this present amount of \$230,000, we have a total saved by those in charge of the bill to make a code of cash money to the amount of \$572,500. This will pay much more than all the expenses in every way of making the code and leave the Government a clean profit on the investment of over half a million dollars. We challenge the history of this country to surpass that accomplishment as a financial business proposition. [Applause.]

Mr. HILL. Will the gentleman yield? I would like to ask when was the last code published.

Mr. LITTLE. In 1874, and a second edition in 1878.

If you will turn to the debates of 1874 you will find that the chairman said it cost them \$100,000 to prepare the Revised Statutes of 1874. The people in charge of the present bill expended about \$13,000 in its preparation for printing, and spent \$87,000 less than they did in '74, and more than that, less than was spent some 15 years ago when the effort was made to make a code.

When the chairman approached the printer's task he took it up with Mr. Morgan, then superintendent, a very excellent printer, and found that to print the bill in the ordinary shape bills were printed would have cost \$84,000. Should the bill thus become a law, it would immediately become necessary to discard all that typesetting and begin to put it in book form. The printer and the chairman after very careful consideration decided to adopt the present form of H. R. 12 as the one that would be most utilitarian and most economical. By printing the bill in this form, it ceased to be necessary to cast it aside and begin to print again. When the bill becomes a law, all that will be necessary is to make the plates from the type, and the cost will be comparatively nominal. So I can assure the gentlemen of the House that whether or not

this bill becomes a law, it will never cost this Government anything.

The saving on the printing and in the preparation over the statutes of '74 and '77 constitutes a saving of \$171,000 that would ordinarily have been expended. When we add that to the \$572,500, we get \$743,500, which money has been saved by the revision committee and its work. We hope presently to be able to present a plan for the permanent maintenance of a code. If you will permit us to put at interest the money we have saved, we will supply you with an annual income that will take care of the printing of this code as long as the Republic keeps one. Indeed, the annual saving of \$68,500 we have already provided will be far more than that.

Mr. BLANTON. Will the gentleman yield?

Mr. LITTLE. I will.

Mr. BLANTON. Could the gentleman get these facts before the people of Kentucky?

Mr. LITTLE. I hope we can; I am trying now.

The Government Printing Office has informed me that if the bill becomes a law, when 10,000 copies have been printed, the printing will have cost \$25,340.06, and that thereafter it will cost \$1,690.19 a thousand to print more. We have spent some \$13,000 and are prepared to spend \$4,000 more to complete the book, which would be about \$17,000, which if added to \$25,000 for printing, would make an expense of \$42,000 when the book is done, if we are not annoyed too much by fools. If you will take the \$288,500 that Mr. SLEMP told you the gentleman from Kansas had saved, and add the \$10,000 against which Mr. MADDEX made the point of order, you have \$298,500 in cash to be put in the Treasury at one swipe in one year. Subtracting from it the \$42,000 of these expenses, the Treasury will have a clean, clear profit of \$256,500. I haven't heard of any other business enterprise on which this Government ever cleared a quarter of a million dollars, or anything else. The fool who fired the Ephesian dome 22 centuries ago has never had an equal since till a moron rose to block the American Code; but even if that wrong to the bench, the bar, and the litigants should be really accomplished, the Revision of Laws Committee will forever point with pride to a quarter of a million dollars their work has deposited in the Treasury of the United States to the credit of the taxpayers, an achievement that has not been surpassed in the 22 centuries between the two most outstanding and decadent figures of their kind in all the annals of time. [Applause.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. LITTLE. I would ask to extend and revise my remarks.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

Mr. LITTLE. To thoroughly understand all that has been done in the making of this bill to establish a code it is necessary to lay before my hearers some of the former history of the committee's work.

In the sixties the committee was appointed and a commission selected to revise the statutes. Caleb Cushing was to be chairman, but just attended one session. For some years the commission worked to and fro, and finally, in 1873, Benjamin Butler, chairman of the Revision Committee, took over the board of revisers' work. They were authorized to thoroughly revise and rewrite the laws, and did so. General Butler saw at a glance that the changes and amendments and omissions were so numerous that it would be impossible in any one Congress to read and discuss them and pass the bill. He employed a lawyer named Durant for nine months to rewrite the bill and take out all the changes and leave it as it was so that it might be passed. With considerable amusement I hear of commissions of distinguished scholars to do this work. The idea is not workable, and the Revised Statutes of 1874 were not prepared by any commission. The work was mostly done by Mr. Durant, a Washington lawyer from New Orleans. The committee then did a great deal of the work and passed the bill, very much the same manner that the present bill has been prepared, though this work has been done with a great deal more care and has taken more time. Some 20 years ago an effort was made by the Revision Committee of the House to place before the House another revision of the laws. A gentleman was employed for several years to do that work. He made many changes and alleged improvements. The committee saw as before that it would be quite impossible to even read such a bill, much less pass it, and wholly discarded it. The printers of that date tell me that in printing and reprinting and reprinting this work about \$200,000 was expended, every dollar of which was wasted. When the committee undertook this work the gentleman was so anxious to help that he vol-

unteered his services without pay, though he was paid properly for his time. As before, he was persistently anxious to improve everything, and it finally became necessary to do without his services because he did not understand what the committee was endeavoring to accomplish, the task of repeating in the code the laws made by Congress word for word. He was so interested in it and so hard a worker that after we had secured his promise to adhere to our plans he was reemployed, and he did a considerable portion of the work. I observe with regret that after being employed for some 18 months on H. R. 12 he accepted a fee to attack it and criticize it, including his own work. Fifteen years ago a great publishing house similarly employed a man attached to the work to circulate defamatory statements with regard to the bill the gentleman himself wrote. It is somewhat curious that the only person who has been employed to attack this bill by a formal review was the man employed to make it and discharged for incompetence, but such is the fact. It is very seldom that one can be paid by both sides of such a controversy. In his review he persistently attempts to renew his old efforts to change the law and improve it, as he thinks. Most of the material he inserts is a lot of petty criticisms from various people here and there in the departments whose work has all been thoroughly reviewed by the learned revisers and the committee.

They have long since been given credit for everything that was entitled to consideration, and it is almost buffoonery that in this review of March 2 we should again be confronted by all the stuff that has been thoroughly disposed of over and over during the last three years and fully placed before those who seek to criticize. There can be no better evidence of the detailed application and scholarship applied to the making of this bill than the patient care with which every such puerile or senile criticism has been gone over and over again and is again disposed of in this discussion. Among the fallacious criticisms was one two years ago from the Interstate Commerce Commission, which found its way into the hands of the critic. When the attention of the commission was called to those defects, they withdrew practically all the attacks made by that department, as you will see by the letter from Mr. Esch. The Committee on Revision found that one of those 49 suggestions was correct, and it will be inserted in the bill. Of the balance, 40 were withdrawn entirely, and I do not know why the critics published the letter at all, unless it is to mislead careless readers. Permit me to call attention to the statement by Hon. John J. Esch in his letter, which is included in the review of March 2:

We appreciate fully the magnitude and importance of this work. It is this very fact that leads us to refer to these matters. We do not mean to intimate that the code has not been most carefully and critically prepared. In a work of this character it is practically impossible to prevent inaccuracies. In an endeavor to be helpful, rather than critical, we have attempted to call attention to some matters which it seems to us should be further considered. Many of the doubts that arise can be settled only by Congress or by the courts, which in the last analysis means the Supreme Court.

The laws made by Congress and inserted in this code go into the code accompanied by all judicial decisions that apply to them. Their presentation in the code will result in no further judicial decisions concerning things already decided, and things not decided will be open to the same discussion that they are now and would be if the code is never made. Some of these critics seem to get the idea that their appearance in the code will precipitate new issues. Certainly not; the law will be just as it is now, surrounded by the same difficulties, and no more. When the Revised Statutes was made in 1874 judicial decisions soon determined and settled that fact. We can not do anything that will so fix the law that it will be free from the same questions that arose as Congress made it originally. We have done nothing to add any question, as is demonstrated by the results after the adoption of the Revised Statutes of 1874. It is our duty to present in this bill the law as already made, and the only reenactment in it is the enactment of it into one law—a code—instead of many. It is merely repetition of the same laws, and its condition before the courts will be no more changed than it was changed in 1874 when the Revised Statutes became what the whole world concedes to be the greatest law book ever made.

At present nobody knows just what the law is in many cases, and most people are unable to find it all. What we have done is simply to present all the law made by Congress which was in effect March 4, 1919, where its virtues and vices can be at once pointed out, and when it is so reenacted it becomes a law and everybody knows for a certainty just what the law is and finds it right at his hand. When that is done anybody can go to his court and get a decision upon doubtful questions where there appears to be any conflict or confusion. Of course, in so

great a book there may be errors, omissions, or mistakes discovered. Nobody ever heard of any such a big book that did not subsequently disclose occasional mistakes, but every day courts and lawyers make more mistakes because of the confusion in the law than there are in this entire bill.

Therefore the committee instructs me to place before the House this statement with regard to the criticisms which are launched at us at the last moment when it appeared to be impossible to have met them. We replied hastily in 24 hours to these attacks and now, two days later, hastily complete our statement to suggestions made at the last moment after 21 months' delay.

#### CONFUSION IN PUBLIC PRINTING LAWS.

Because of the confusion in the laws this proposed code was prepared because it would present all the law to the people and they could find it in one book and the courts could know at a glance what the net result would be of such legislation. The Joint Committee on Printing, in view of this confusion, had prepared what amounted to their idea of a code of the law of their committee. Unfortunately the revisers of this great book—lawyers of many years of experience—did not entirely agree with the code, and the clerk of that committee persisted in criticisms on matters of mostly no importance, and the only effect of the criticism might be to block this great code. The committee have felt that the codifiers and revisers were right in the occasional conflicts. For example, the critic calls attention to the fact that on November 1, 1893, the law announced that thereafter engrossed bills should be printed at the stage of the consideration at which they were engrossed before, and he says there is no law in our code to tell at what stage that was. There is certainly no law in our book about it, because there never was any law made by Congress about it and we decided not to invent one. The time of consideration was fixed by the rules and customs of the House and still is, and it is not a matter of law, and it is unfortunate the gentleman wasted our time in looking up such a matter.

He says of our section 5771 that it is superseded by section 5770. He is mistaken. The older section provided that whenever there did not happen to be a Joint Committee on Printing somebody else should supply that need. The newer section undertook to provide for a system so that there would always be a Joint Committee on Printing. There still remained the provision to fill this place if it did not exist. There is no conflict between the two, and if for any reason, by death or any accident, the joint committee should not function, the other one would. Not only is there no conflict, but the new law distinctly did not repeal the old law. The new law did not even make the usual and customary repeal of things in conflict therewith. It is entirely evident that the Congress did not repeal it, but the codifier of the committee print wants to repeal it. The revisers did not agree with him. Whether Congress wanted to maintain it or so totally avoid it we do not know, but as Congress did not repeal it, and very distinctly did not, it still remains in force. We can not be making repeals out of our own minds because the presence of some section appears distasteful to us.

One of the greatest difficulties in our laws is the appearance of the joker in appropriation bills. The gentleman has found one in the Thirty-fifth Statutes, page 381, on which appears an appropriation of \$3,600 for a Deputy Public Printer. In making an appropriation it is required that there should be an authority for the existence of the office, and the appropriation furnished one, and never since has there been such authority for making a Deputy Public Printer. They simply made an appropriation of \$3,600 a year to pay one, though there was no such office. They then added a clause which told what kind of a man should be appointed and who should appoint him. That simply said that the man to draw this \$3,600 should be such and such a man and be appointed. The minute that \$3,600 was spent, the instructions about spending it stopped. It was a limitation on this expenditure. Those words only applied to that appropriation. They did not create an office. They assigned to him certain duties, taking some away from the chief clerk, but nothing was said about doing away with the chief clerk, and the law instituting him still remains and he has other duties to attend to anyway, and the minute the \$3,600 is expended the matter stops unless there should be another appropriation, which, of course, is without any authority of law either. Sometimes when they make such an appropriation they say, "Hereafter such and such things shall be the law." It has been held that while it is temporary legislation when inserted simply to tell what shall be done with the appropriation, it becomes permanent law when they say that "hereafter" it shall continue. Congress did not so state, and, of course, there is nothing permanent about an appropriation that might have been stopped

by a point of order any time and the limitations on it telling how it shall be spent. The critic requires that the law be amended by striking certain words out in order to give effect to his views. Congress has not stricken them out and they are still there. If there is any dispute over it, it is a matter for the courts to decide, and we do not regard the clerk of any committee as gifted with judicial powers and authority, so the committee prefers to leave the law stand the way Congress made it.

There is a criticism of section 5884, which refers to a Government director for the Union Pacific Railroad, which he says is obsolete. There is a law that has never been repealed, and if it had long since ceased to function, we can not say that Congress wanted it out of the road. As a matter of fact, after very careful examination the committee found that there is still a remnant of that old relation which makes it essential that in order to protect all interests this section should be carried. It was looked into with infinite care, and without any question it ought to be right where it is.

The critic suggests that there is some repetition in this book. There certainly is, because the Statutes at Large have frequent repetitions, and so long as they do codes will. Furthermore, it often happens that the same bit of law must almost necessarily be placed under two different titles in order to give the people who study that title full information where they expect to find it. If there were a thousand repetitions in this code it would not change the law a particle, and it would still remain an infinite improvement upon the old laws, which bring more confusion every day in the courts than there are mistakes in the whole bill.

Another excellent example of the impropriety of allowing committee clerks to decide legal confusion questions is found in the Twenty-eighth Statutes, page 608, which provides that the Public Printer may employ six clerks at certain annual salaries. In the Thirty-fifth Statutes Congress directed that the Public Printer shall submit for each fiscal year estimates for clerks. There was nothing that prevented him from including the six clerks mentioned, and that law was left wholly unrepealed. Whether that authority to select those six and file in the estimate still remained with the Public Printer is a judicial question, not a legislative one, and it is up to the courts to decide. The original statute is not in conflict with the new one at all. It may be the purpose of the law to permit those men to retain those positions and be included in that estimate. Congress made no repeal of it in any way and the codifiers will not. This is a matter for the Chief Justice, not for a committee clerk nor for a codifier.

The gentleman suggests that a certain section is dead matter superseded by some other one. Congress did not say so. It made two sections and they are still the law, because neither of them repeals the other. That is why we have to make a code, so people can get at them all at once. The rest of his suggestions were practically all of this character, except some much more puny and unimportant. We are sorry that the revisers have fallen into conflict with the committee clerk and his code, but we are quite frank to say that we still think the judgment of the committee is better.

However, he speaks of section 5 of the Thirty-second Statutes, page 631, for distributing some books, as being omitted. I am inclined to think the revisers have made the mistake the critics so often make of disposing of something that is obsolete because it had ceased to amount to anything much. In my judgment this ought to be looked into carefully, and if not located in this book I should recommend that that section be inserted before the bill becomes a law. He has pointed out what he claims are 138 mistakes. In this entire review of March 2 I think that one of his suggestions is right, and that is all that are right, and it will be recommended for adoption unless located somewhere else in the book.

Attention has been called to a "cursory" examination of this code by the attorney general of Alaska, accompanied by an essay from a gentleman in the War Department suggesting criticisms on the law the revisers have found and reported concerning Territories. It is exceedingly pleasant to know that an employee of the Government so far distant has an active interest in these matters, and we earnestly regret that he had not previously given the subject such attention as would make his suggestions more valuable.

#### ALASKA.

The act of January 27, 1905 (33 Stat. 616), to provide for the construction of roads, the establishment of schools, and care of the insane in the District of Alaska, provides for an Alaska fund to be derived from liquor licenses and occupation or trade licenses outside of incorporated towns in the District of Alaska. The act of February 6, 1909 (35 Stat. 600), being an act relating

to affairs in the Territories, provides for the repeal of as much of the foregoing as provides that 5 per cent of the license moneys collected outside of incorporated towns in the District of Alaska shall be used for the care of the insane, and provides that such moneys, so far as is necessary, shall be applied to the establishment and maintenance of public schools in the District. The attorney general of Alaska makes the severe and caustic criticism that "section 3823 \* \* \* omits the first part of section 7 of the act of February 6, 1909," but he is mistaken. The first part of that is found in section 3840 of the code, just where it should be. He evidently intended to say that a later part of that was omitted, being the statement that the money shall hereafter be applied to the maintenance of schools in said District.

In 1912 the District of Alaska was organized into the Territory of Alaska. Since then the Constitution and the laws have terminated the liquor licenses and there is no money derived from them for that Alaska fund. The organization of the Territory of Alaska, instead of the District of Alaska, terminated the application of that money to the schools in the District of Alaska and left to the Territory of Alaska the duty of utilizing its funds and maintaining its schools. Furthermore, when the District of Alaska desisted, the Government had nothing more to do with occupation or trade licenses outside the incorporated towns in the District of Alaska, and there was no such money to go into an Alaska fund.

The Territory of Alaska had all the control of trade licenses in such places in its territory, and that money placed in this Alaska fund no longer went there. That fund terminated and was no longer available, and the provision he mentions, of course, disappeared from the law. He does not seem to have observed that when the law created the Territory of Alaska and gave it a legislature with power to raise revenues that legislature controlled its local government and resources. The District has long since become the Territory of Alaska, and with it went the revenues thus raised for the Alaska District fund. The matter is now in the hands of the legislature, and the attorney general should call its attention to the fact. His position is a responsible one, and he should fully inform himself of it, not so much for our benefit here as for the benefit of those he serves at home. The manner in which the revisers and the committee have handled this somewhat complicated and intricate point is an admirable illustration of the exact and meticulous care they have given to all the details of this great code. We thank the gentleman for directing attention to it, because it goes far to prove how careful the revisers have been; but, unfortunately, it also discloses the unfortunate fact that the attorney general himself has not given his duties that same tedious application which would probably greatly improve his value.

The attorney general of Alaska suggests that sections 3832 and 3833 of the code should be repealed. Well, let him have them repealed. We have no objection; but they are the law as made by the Congress and will so remain until they are repealed.

The gentleman from Alaska states that the Federal law with regard to schools for white and colored children is not found in the code. It is found in section 3836. He is evidently a very careless observer and investigator. A gentleman who is as careless as that could not be a very safe custodian of the rights of the people of Alaska, and I would suggest that it might be well to send an attorney there who can find the law, but who will not rush down here, at a distance of a thousand miles, and endeavor to make it impossible to have a statement of the laws of the United States where such laws can be found by careful men. Also committees and reviewers, employed at \$650 for a few weeks' work, to investigate the proposed code, should be able to have more sense than to publish such a letter as an argument in favor of their opposition to any code.

The Alaska attorney general says:

Some of the penal laws applicable to Alaska are embodied in the new codification, but I don't find that the Penal Code of 1899 is included. What effect this will have I am not at present prepared to state.

The act of 1912 (37 Stat. 512), which organized the Territory of Alaska, gave it a local government and gave it authority to make its own laws, which it does. It provided that—

All laws now in force in Alaska shall continue in full force and effect until altered, amended, or repealed by Congress or by the legislature.

This bill establishing this code purports to give only the general and permanent laws of the United States and not the laws of Alaska. Any laws which apply solely to Alaska are not general, and no laws which have been or can be superseded at any moment by the Legislature of Alaska are permanent. The laws the gentleman looks for were the laws made for the District of Alaska, and not for the Territory. The attorney

general says he does not know what the effect is. Well, who would know if the attorney general of Alaska does not? I suggest that he go and find out and not bring his trouble here. This committee has trouble enough. Furthermore, two national administrations of Attorneys General have said distinctly that the penal code of this book has no omissions and no mistakes. Attorney General Palmer said:

The only portions of this bill submitted to this department were section 965 to section 1612 relating to the judiciary, and section 503 to section 551 relating to the Department of Justice.

So far as such portion of the bill is concerned there is no criticism to offer on behalf of this department.

And the present Attorney General's office said by its attorney, W. C. Herron, Chief Justice Taft's brother-in-law:

The sections which seem to relate in any way to the criminal law or criminal procedure have been carefully examined, and, so far as it is possible to discover from such an examination, no errors or omissions have been noted.

The Alaska gentleman criticizes the code bill because it has published some parts of the act to make a civil government for Alaska and has omitted some parts. This is perhaps true. Whatever in the said act is permanent and general law is inserted in this code and whatever is not is not in the bill. He complains that the Governor is authorized by the Federal laws to appoint a notary public. Well, the codifier can not help it, and it will remain in this or any other code that is made until Congress changes it. The laws of Alaska might doubtless make authority for a notary public if they want to, and there is no conflict between the two authorities. We are not making new law nor repealing old law. He suggests if we reenact it, it might affect the local laws of Alaska. Well, suppose it did; the Federal laws often do. If we reenact it, that simply makes it into one great code; the law is just like it was before. This is just exactly what was done in the old Revised Statutes, and this quibble about it changing the law is pure nonsense. For 48 years the Revised Statutes have stood, and for a generation no change has ever been made. The Supreme Court of the United States has long since settled the application of the Revised Statutes to the laws before they went into it, and every such matter is settled. To change from the old Revised Statutes enactments and methods would precipitate a lot of new controversies, which we shall not do. We at first thought we could improve that section, drawn by the wonderful men who prepared the Revised Statutes, but long since found that we could make no change that would not do more harm than good. What he is doing is criticizing the work of the great lawyers who made the Revised Statutes, whose methods we have followed exactly. We will be compelled to leave to the American people whether these fireflies can dim the luster of the Revised Statutes of 1874.

The attorney general of Alaska continues:

Section 3796 also contains a provision making it the duty of the governor to "from time to time inquire into the operation of any person, company, association, or corporation authorized by the United States, by contract or otherwise, to kill seal or other fur-bearing animals in the Territory, and any and all violations by such person, company, association, or corporation of the agreement with the United States under which the operations are being conducted, and shall annually report to Congress result of such inquiries."

This, of course, is antiquated, but a reenactment at this time might impose upon the governor duties which it was not the intention to require him to perform.

He says that this law is antiquated and therefore should not be in effect. Antiquated? Why, the Constitution is much older. How old must a law be before it ceases to be a law in Alaska? He says that its reenactment might impose upon the governor duties which it was not the intention to require him to perform. You can assure him that it will not. It merely repeats the law which authorizes the governor to be a governor and which tells him what his duties are, not whose "intention to have him perform." Congress intended to have him perform it, and I trust he is performing it. I should hate to think that the Governor of Alaska is disobeying the law that created his office. The law requires him to see that seal stealing is stopped in Alaska, and of course he has taken an oath of office and he will obey the law.

The critic who is assisting the reviewer says:

These are a few of the objections to the new compilation which occur to me at the present time after, as I have stated, a cursory examination of the subject. If Alaska could be left out of the new code it would give me considerable pleasure to assist in compiling and revising the Federal enactments of a permanent nature touching this Territory.

Here is a most remarkable and startling situation. For 22 months a corps of scholarly and experienced lawyers in charge of a committee that has had several hundred years of legal experience prepared the code of the laws of the United States, and some gentleman from Alaska hops up and says that he wants Alaska left out of the laws of the United States, and if

that is done it would give him considerable pleasure to assist in the work. Who is this that tells the House of Representatives, which has twice passed this bill unanimously, that he will join in the work if they will leave Alaska out? Is this gentleman going to make the laws for Alaska hereafter, and what improvements has he to suggest? He tells us that the law directing the governor to prevent seal stealing in Alaska is antiquated, and for that reason solely should be omitted, and having made that suggestion he then simply asked that Alaska be left out of the Federal laws. Is not this a little peculiar? The Committee on Revision of the Laws feels that the general laws with regard to Alaska should be in the code the same as any other; that its officers should be governed by the laws made by Congress just as are all other men, and we will insist that even the antiquated law of 25 years ago about Alaska stay right where Congress put it.

In response to the Secretary of State's letter of January 27, 1923, which I have presented to the House elsewhere, the chairman of the House Revision Committee wrote as follows:

JANUARY 28, 1923.

HON. CHARLES E. HUGHES,  
Secretary of State, Washington, D. C.

MY DEAR MR. SECRETARY: Replying to your favor of the 27th answering my letter of the 23d, I note that on December 7, 1922, the department in response to a communication from Senator ERNST dated November 10, 1922, sent him "a copy of a memorandum" and stated that "at the time H. R. 9389 was receiving consideration in the House, a memorandum had been prepared in response to a request from the chairman of the House Committee on Revision, containing brief comments on certain sections of that bill" and "that the department had no additional suggestions to offer concerning the sections covered by that memorandum."

I write to inquire whether you will kindly send me a copy of the memorandum that you forwarded him December 7, with the date thereof. H. R. 9389 passed the House December 20, 1920, and the memoranda with regard to that were long since utilized.

I note your remark that you say, "I have noted your statement that after the bill becomes a law you intend to suggest to the department that an amendment be prepared for the purpose of correcting such inaccuracies as may appear." I presume you refer to my letter of April 11, 1922, in which I said, "Our plan is simply to prepare a bill that contains the present law without any change whatever. This bill is now the law, and if it passes the Senate it becomes a law, and we will then have something to begin with, doing away with the past confusion. Our committee will then bring in a bill suggesting some changes correcting what appear to be errors in the present law." I was not referring to inaccuracies in our bill, but the errors in the present law, such, perhaps, as may exist with regard to these ministers and ambassadors, but which are errors by Congress—not in this bill.

Before the old Revised Statutes were fully printed a bill was passed correcting 34 mistakes in it, and two years later a bill was enacted which corrected 242 imperfections in the old Revised Statutes. In my bill to establish a code I have supplied 60 omissions in the Revised Statutes which still remain. If we adhere to the precedent set by the Revised Statutes people we will, as you suggest, introduce a bill to correct our mistakes, if any there be. I suppose we ought to adhere to that precedent, should we not? Our book is three times as large as was theirs, and if we adhered to their percentage of mistakes we would have over a thousand to correct, and with all the nervous assistance of young gentlemen admitted to the bar here and there, and people who want us to omit the law to make easy their social duties, we have been only able to locate 66 instead of over a thousand. I am glad you feel that what the committee did was just what it should have done.

Very sincerely yours,

E. C. LITTLE, Chairman.

This presents the views of the committee with regard to the matter and we think makes it clear, as does the Secretary's letter, that the law with regard to ambassadors and ministers as found in the code bill is the law of the land as made by Congress and never repealed or declared unconstitutional, and therefore rightfully in the code bill.

#### TERRITORIAL LAWS.

A gentleman in the War Department says:

I have been asked to comment upon the question whether or not any or all of the provisions of chapter 4 of title 25 of the Code of Laws of the United States, hereinafter referred to as the new code, have been superseded or rendered obsolete by other legislation.

Just why he should have that task is not quite plain. If certain laws made by Congress have been repealed, then they will not be found in the new code. If they have not been repealed, they will be. What does he mean by "obsolete," and what does he mean by "superseded"? If the law has been repealed, it will not be in effect. If it has not been repealed, it will be found in the book. The gentleman has an extended review of the history of the Territories which might be very interesting to a high school, but is of no utility here. After some difficulty we discover what seems to be the point. He suggests that there is a question as to whether the laws instituting the Territory of Alaska, for example, have done away with the general Territorial provisions. Why does he ask that question here? If Congress has two sets of laws and has repealed neither, it will be up to the courts to decide what is the result of such legislation. The codifiers have nothing to do with that subject, and it is a curious problem as to what the gentleman has to do with it. One of the reasons that we must have a code is that Congress has made many such legal

situations and thus confused the law. If the code becomes a law all the conflicting legislation will be assembled together and can readily be found and corrected. All those conflicting provisions placed in the code are the law now, and that is why we must make the code. They speak of reenacting it. Nothing is reenacted except that which is in effect now. The reenactment simply reenacts them all as one bill, one law, one code. They have the same legal relation to each other as before being assembled, but they are now found all together. The same facts apply to Porto Rico, Hawaii, and the Philippines. There are many thousands of curious legal situations in the laws of the United States, hundreds of which require the decisions of the courts. The codifiers can do nothing whatever to change such legal situations, but when the laws become one law Congress can soon decide just what should be done. At the present time these contradictions and confusions are scattered through some 40 law books, and if the House committee on revision is not too much annoyed by puerile and senile criticism, which exhibits no comprehension of the purpose of the code, Congress will soon have all the laws together so as to be readily compared and applied by the courts or amended by the Congress. Just why this character of an essay is presented here it is difficult to understand.

#### "THIS ACT."

The Statutes at Large, which the code bill is intended to displace, frequently refer in themselves to "this act," meaning the act in the Statutes at Large. Those words as used in the code would refer to the code, and if so retained would incorrectly state the law; and it became necessary, of course, to cross out "this act" and insert the name of the act, so that the reader would know just what was meant. That plan was utilized in the old Revised Statutes, as will be seen by section 2416 of the Revised Statutes, which reads as follows:

In all cases of warrants for bounty lands issued by virtue of an act approved July 27, 1842, and of two acts approved January 27, 1855, therein and thereby revised, and of two acts to the same intent, respectively, approved June 26, 1848, and February 8, 1854, for military services in the Revolutionary War, or in the War of 1812 with Great Britain, which remained unsatisfied on the 2d day of July, 1864, it is lawful for the person in whose name such warrant issued, his heirs or legal representatives, to enter into quarter sections, at the proper local land office in any of the States or Territories, the quantity of the public lands subject to private entry which he is entitled to under such warrant.

The revisers have been following the precedents thus set. The reviewer of our code bill showed his incompetence for the work by criticizing that plan, which, of course, is absolutely necessary to make a successful book.

He begins his charges against the code bill by directing attention to several sections where this policy has been followed, beginning with section 104. If you will turn to the original of that section in our bill you will find that our code bill section repeats the old law word for word, and that this criticism amounts to a criticism of the original bill itself. This, of course, demonstrates at a glance that his criticisms are not made in good faith but with some determined motive to pile up an apparent bunch of criticisms. He should have said it was a compliment to ascertain we had followed the old law word for word. What manner of a man is this that offers such a statement and calls it a criticism? Let us have fair play somewhere. His criticisms, on that account, are as idle as "a painted ship upon a painted ocean," and as silly as a fool's summer dream. He began by telling us that there were thousands of such cases in the bill, but when he was forced to look it up he turns up with 70. Suppose there were 70 such sections. Why did he not go ahead and correct them, if he knew how? What is he bringing them back to us for? Somebody was allowed \$6,800 a year to do this work elsewhere and they came back with one correction. Why did they think that the House committee and its revisers should spend 22 months' hard work and make all this great book of 2,000,000 words and that they, after 21 months, should return without having done anything? If every one of the 70 were a mistake, it should have been corrected in two days, anyway.

The fact is that in addition to transcribing the former law the scholarly revisers in hundreds of instances located the corresponding section mentioned in our own code and pointed the reader to where he could find that citation in our own book—a work of loving labor never performed before by any national codifier to such an extent. This attack that he throws at us should have been labeled "compliment," and nobody who had any comprehension of the work of making a code would have failed to see the value of it.

He says that some of these sections do not refer to any section in the bill. Why, of course not; necessarily there will be such. Quite a good many of them refer to appropriation bills

from which has been dragged some general law. Appropriation bills are not permanent law and do not go into the code and will not be found there, but reference is necessarily made to them sometimes in order to copy the old laws and put them in the book. What is this critic going to do about these alleged mistakes? He does not tell us any remedy for them, and he has none, because they are not mistakes.

The reviewer says that these conditions compel reversion to the old law. Well, what of it? What if we do follow the precedent of the Revised Statutes and insert necessary references to the old law? There are in this bill 10,747 sections which have been rescued from the confusion of some 40 Statutes at Large. In order to find them, the lawyer must go to every one of all these books and examine all its pages. Suppose that occasionally some lawyer did now and then find it necessary to go back to the old laws? Is it possible that there is anybody who is compos mentis that would refuse to accept such a code as this that gave him over 10,000 sections at hand to be touched instantly, even if a few hundred lawyers did occasionally have to look back at some old section to which his finger is pointed immediately, whereas under the old laws there was nothing to point him to that section? Nobody with good sense would offer that as a criticism.

Referring to our section 988, the reviewer criticizes it severely as being dead matter and because it refers back to something before and instances its last paragraph. It is difficult to speak in patient language of as big a piece of foolery as that. That last paragraph which he criticizes so caustically is taken bodily from the Revised Statutes, section 8465. It reads in our code just as it did in the Revised Statutes, from which it is copied. Is it possible that a man of sound mind can not see that that is just as severe a criticism of the ancient and honorable Revised Statutes as it is of our book? It would seem any mentality would see that when he launched an attack upon us because we repeated word for word section 3465 of the Revised Statutes he was making just as vicious an onslaught on the ancient and honorable Revised Statutes as he was on our code. Our book helped the reader some by locating the references by certain pages in certain books so as to be easily found, while the Revised Statutes mentioned them by names and dates and compelled the reader to work out his own salvation as to where to find them. We gave the location, not the name of the act.

If you will turn to this section, you will find that it is placed under the title of "Jurisdiction for District Courts," just where it belongs, of course, as any lawyer would easily see. The critic complains that this paragraph which discusses the jurisdiction of certain cases should not be placed under jurisdiction, but should be placed under internal revenue, which, of course, is just simply nonsense. But from a general analysis of his suggestions we are constrained to the belief that he is honest in his assertion that he so thinks. Probably he does.

After 21 months of defamation and slander and villification of the code without specifying the places which he claimed were wrong, except once, which was soon disposed of, he sums up, with the assistance of one of our former aids, his sum total of alleged errors, of which he specifies 138 and no more. If you have followed with sufficient patience the presentation of our reply in detail, you will find that these gentlemen have just exactly pointed out one mistake in all the 138. Why, that does not amount to a row of pins in 2,000,000 words. As soon as the old Revised Statutes were enacted they discovered and made a new law correcting many mistakes, and two years later they made another new law correcting 242. If this bill had passed with 138 mistakes in it, it would still be far superior to the old Revised Statutes in accuracy. He has only discovered, he claims, 138 mistakes. Well, why in the name of all that is common sense, did he not correct them and present the bill? If you will turn to Roscoe Conkling's speech in 1874 you will find that they made many changes in that great bill in '74 in a very offhand way. Here are some people who are designated to perform the duty of ascertaining and correcting the mistakes found in this bill and presenting it to Congress. What pitiable showing is this that turns up after 21 months and says, "Here are 138 mistakes, and we do not know how to correct them"? Well, why does he undertake the work, then? If they had handed us such a list of mistakes, our committee would have taken care of them months ago if they were found to be mistakes. The House Committee on Revision of the Laws appeals to the American Congress and the American lawyers and the American bench and bar for a square deal and fair play for this enormous work they have put before the people and which has never yet received any careful consideration from anybody except the gentlemen who have eulogized it many times in public announcement.

Similar questions arose in 1874 when Conkling, Carpenter, Edmunds, and others of the most distinguished lawyers the world ever saw were on the committee that put this bill through the Senate of the United States. Senators Conkling and Carpenter presented those questions very carefully, and I now call your attention in conclusion to what was said by great lawyers and great men at that time in our national career when the first code was made and became a law and the foundation of all our future legislation.

Senator Carpenter said:

MR. CARPENTER (Mr. Anthony in the chair). The Senator from Indiana says this is a dangerous thing. That is undoubtedly so. It is dangerous to pass any law, because there may be a mistake in it that will harm somebody. That danger is inherent. We can not avoid that difficulty. Every exercise of sovereign power is dangerous in that sense, that if there is an error lurking in it and if it is not discovered it may do harm.

The Senator says this work has been done by three commissioners, and from that he derives an objection to it. I think it would have been an improvement if it could have been done by one competent man. Where you have got one thing to do, whether it be to carve a statue or paint a picture or revise the laws of Congress, if it can be done by one mind, you are more likely to have it correct than you are if it is participated in by more than one.

Now, what does the Senator suppose would become of that revision if it were to come in here and take the fate of ordinary bills in the Senate Chamber? The youngest boy born in this country to-day never could live to see it disposed of. Suppose it were put into installments, part of it taken up one session and part another, by the time you had gone through two or three sessions your accumulated legislation would make a new revision absolutely necessary; you never could end anything, and never would come to any conclusion.

Undoubtedly there will be found errors in this revision. There never was a revision made, as the Senator from New York has said, that did not have errors. It is not in the nature of things that the revision of so many statutes should be absolutely perfect. All that we can do is to give it every guaranty that such a work ever can have that it is correct. The great benefit of it is that it gives us a starting point for the law, and if errors are discovered, as undoubtedly there will be more or less, they are to be corrected by subsequent legislation, and every man, every citizen, every lawyer, every judge, knows what he has got to start with to find what the law is. He is to start with that volume, and then subsequent legislation is all he has got to discover. Tell any common man in the complicated relations of official life, who is an internal-revenue collector, if you please, or has something to do with the distilling business, that he is supposed to know all the law on that subject, and it is to be found in 17 volumes, and he is to be indicted if he omits a single particular or mistakes a single provision, and he would as soon go to the insane asylum at once as attempt to wade through it. Now, then, he has got a start; he has got the statute of revision; and then he has got to look to subsequent legislation and nothing else, and is certain he has all the enactments on the subject before him.

Senator Conkling said:

MR. EDMUNDS. I wish to ask the chairman of the Committee on the Revision of the Laws, if he will not think it implies any inference on the committee, as it does not, how sure the committee is, as we necessarily take this revision entirely on trust, that it does embrace existing law and nothing new?

MR. CONKLING. That is not a very easy question to answer. "How sure is the committee?" I scarcely know how to answer that. It is a question I have heard put to a witness sometimes, and always excluded when objected to, it relating to comparative degrees of assurance. Certainly I can only say, as the Senator from Vermont well knows, that this work has engaged the attention of three sets of commissioners, and the examination of the committees of two Houses, and of the committees of the two Houses acting jointly, and of the House special sessions being set apart for many days for its consideration; and all those concerned, so far as I can judge, tried to do their duty in regard to it. But when the Senator asks me to state how sure I am, or how sure they are that this immense volume, made of the gathered meaning of 17 or 18 volumes of statutes, contains no blunder, I repeat the question is difficult to answer. There is upon the second page of the bill, or preceding the second page as it stands, a list of errors called "errata," which are to be corrected in the reprinting; and many other errors have been found and have been corrected.

Perhaps I should be more candid in my answer if I were to say to the Senator from Vermont that I have no expectation that this work is free from error. I have never known any revision of laws that was. We have had several revisions in the State of New York, conducted by very eminent and expert men usually, and we never had one which did not contain errors. I think the Senator from Massachusetts [Mr. Boutwell] will bear me out in saying that although they revise very carefully, in spite of all their processes errors are found. I presume errors will be found here, and as they are developed they must be corrected by future legislation.

MR. SHERMAN. I would ask the Senator from New York—for I have not given sufficient attention to know—whether he has been careful to preserve rights which have accrued under the law as it stood at the time the revision took effect?

MR. CONKLING. I think the Senator will be satisfied that in that regard there is no danger from the bill. The repealing and saving clauses are very careful and very broad, preserving all accrued rights on both sides, preserving penalties where they have accrued, preserving rights and opportunities where they have accrued, and providing with, I think, very thorough carefulness of language that no person and no right shall suffer by any casual omission or the like which may be found in this work.

#### REVENUE COLLECTION DISTRICTS AND COLLECTORS.

MR. MILLS. Mr. Speaker, I am directed by the Committee on Ways and Means to call up bill (S. 2051), to amend section 3142 of the Revised Statutes to permit an increase in the number of collection districts for the collection of internal revenue and in the number of collectors of internal revenue from 64 to 65, and move its immediate consideration.

The SPEAKER pro tempore. Will the gentleman from New York send the bill to the Clerk's desk?

Mr. MILLS. It is a privileged bill.

The SPEAKER pro tempore. Does the gentleman from New York ask unanimous consent for its present consideration?

Mr. MILLS. It is a privileged bill.

The SPEAKER pro tempore. Does the gentleman ask unanimous consent that it be considered in the House as in Committee of the Whole?

Mr. MILLS. I do.

Mr. HICKS. Regular order, Mr. Speaker.

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the measure may be considered in the House as in Committee of the Whole.

The SPEAKER pro tempore. Is there objection?

Mr. GARRETT of Tennessee. I object.

Mr. MILLS. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill (S. 2051). No, Mr. Speaker; I temporarily withdraw my motion.

#### BRIDGE BILLS.

Mr. WINSLOW. Mr. Speaker, at the direction of the Committee on Interstate and Foreign Commerce of the House, I ask unanimous consent to have several Senate bridge bills taken from the Speaker's table and considered.

The SPEAKER pro tempore. The gentleman from Massachusetts asks unanimous consent to take from the Speaker's table the following bills, among them Senate bill 4583. Is there objection?

Mr. BRIGGS. Mr. Speaker, may we have the bills reported?

The SPEAKER pro tempore. The Clerk will report the first bill.

#### BRIDGE ACROSS THE MISSOURI RIVER, S. DAK.

The Clerk read as follows:

A bill (S. 4583) granting the consent of Congress to the State of South Dakota for the construction of a bridge across the Missouri River between Charles Mix County and Gregory County, S. Dak.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.*, That the consent of Congress is hereby granted to the State of South Dakota to construct, maintain, and operate a bridge and approaches thereto across the Missouri River, at a point suitable to the interests of navigation, between Charles Mix County and Gregory County, S. Dak., in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER pro tempore. The question is on the third reading of the Senate bill.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

The SPEAKER pro tempore. Without objection, a similar House bill will lie on the table.

There was no objection.

#### BRIDGE ACROSS THE ST. FRANCIS RIVER, ARK.

The SPEAKER pro tempore. The gentleman from Massachusetts asks unanimous consent for the immediate consideration of the following bill, which the Clerk will report.

The Clerk read as follows:

A bill (S. 4579) to authorize the Lee County bridge district No. 2, in the State of Arkansas, to construct a bridge over the St. Francis River.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.*, That the consent of Congress is hereby granted to the Lee County bridge district No. 2, State of Arkansas, to construct, maintain, and operate a bridge and approaches thereto across the St. Francis River, at a point suitable to the interests of navigation, at or near Cody, in the county of Lee, in the State of Arkansas, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER pro tempore. The question is on the third reading of the Senate bill.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

The SPEAKER pro tempore. Without objection, the similar House bill will lie on the table.

There was no objection.

The SPEAKER pro tempore. The Clerk will report the next one.

#### BEAR CREEK, MISS.

The Clerk read as follows:

A bill (S. 4548) declaring Bear Creek, in Humphreys, Leflore, and Sunflower Counties, Miss., to be a nonnavigable stream.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Mr. Speaker, I have no objection to the bill, but some explanation should be made before the objecting stage has passed.

The SPEAKER pro tempore. Will some one state the facts with respect to this bill?

Mr. WINSLOW. The bill S. 4548?

The SPEAKER pro tempore. Yes.

Mr. WINSLOW. I yield to the gentleman from Mississippi [Mr. HUMPHREYS] to explain the bill.

Mr. HUMPHREYS of Mississippi. Mr. Speaker, that creek was formerly under improvement by the United States Government for 12 miles. Commerce has ceased to exist on it.

Mr. STAFFORD. Did it ever have any commerce?

Mr. HUMPHREYS of Mississippi. No much, but some. Since 1913 we have expended no money on the stream, and the Chief of Engineers recommended some years ago that the project be abandoned.

Mr. MONDELL. How much has been expended on the stream?

Mr. HUMPHREYS of Mississippi. Five thousand dollars or \$6,000 or \$8,000. Now a drainage district has been created by the farmers of that district, and the engineers contemplate building a dam across this creek to prevent the water from backing up and overflowing the land.

Mr. STAFFORD. A very satisfactory explanation.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.*, That Bear Creek in Humphreys, Leflore, and Sunflower Counties, in the State of Mississippi, be, and the same is hereby, declared to be a nonnavigable stream within the meaning of the Constitution and laws of the United States, and jurisdiction over said creek is hereby declared to be vested in the State of Mississippi.

SEC. 2. That the right of Congress to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER pro tempore. The question is on the third reading of the Senate bill.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

The SPEAKER pro tempore. Without objection, a similar House bill will lie on the table.

There was no objection.

#### BRIDGE ACROSS THE PEEDEE RIVER, S. C.

The SPEAKER pro tempore. Also the following Senate bill, S. 4536. The Clerk will report it.

The Clerk read as follows:

A bill (S. 4536) to authorize the building of a bridge across the Pee Dee River in South Carolina.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.*, That the counties of Darlington, Marlboro, and Dillon, in the State of South Carolina, or such townships in said counties as may desire to do so, be, and they are hereby, authorized to construct, operate, and maintain a highway bridge and approaches thereto across the Pee Dee River at or near a point known as Cashua Ferry, in said State, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER pro tempore. The question is on the third reading of the bill.

The bill was ordered to be read a third time, was read the third time, and passed.

#### DEFACED POSTAGE STAMPS—CONFERENCE REPORT.

Mr. VOLSTEAD. Mr. Speaker, I call up the conference report on S. 2703.

The SPEAKER pro tempore. The gentleman from Minnesota calls up a conference report on a bill which the Clerk will report by title.

The Clerk read the title of the bill (S. 2703) to allow the printing and publishing of illustrations of foreign postage and revenue stamps from defaced plates.

Mr. VOLSTEAD. I ask unanimous consent that the statement may be read in lieu of the conference report.

The SPEAKER pro tempore. The gentleman from Minnesota asks unanimous consent that the statement be read in lieu of the conference report. Is there objection?

There was no objection.

The Clerk read the statement.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (S. 2703) to allow the printing and publishing of illustrations of foreign postage and revenue stamps from defaced plates, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House numbered 1, and agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 2, and agree to the same with an amendment as follows: In line 13, page 1, after the word "albums," strike out the semicolon and insert a period and in lieu of the matter proposed insert the following: "Nothing in said sections shall be construed to forbid or prevent similar illustrations, in black and white only, in philatelic or historical articles, books, journals, albums, or the circulars of legitimate publishers or dealers in such stamps, books, journals, albums, or circulars, of such portion of the border of a stamp of the United States as may be necessary to show minor differences in the stamp so illustrated, but all such illustrations shall be at least four times as large as the portion of the original United States stamp so illustrated"; and the House agree to the same.

ANDREW J. VOLSTEAD,  
W. D. BOIES,  
HATTON W. SUMNERS,  
*Managers on the part of the House.*

W. P. DILLINGHAM,  
ALBERT B. CUMMINS,  
JNO. K. SHIELDS,  
*Managers on the part of the Senate.*

#### STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2703) to allow the printing and publishing of illustrations of postage and revenue stamps from defaced plates, submit the following statement in explanation of the effect of the action agreed upon by the conference committee:

The Senate recedes from its disagreement to the amendment of the House No. 1, and also recedes from its disagreement to the amendment of the House No. 2, but agrees to the latter amendment with an amendment that strikes out the provision that before any likeness of any stamp or plate may be produced a permit shall be obtained therefor from the Secretary of the Treasury.

In view of the fact that the bill does not permit the reproduction of any stamp or plate of such stamp that would sufficiently resemble an original, so that it could be made use of for the purpose of fraud, this limitation upon the right granted under the proposed act was not deemed necessary.

ANDREW J. VOLSTEAD,  
W. D. BOIES,  
*Managers on the part of the House.*

Mr. STAFFORD. Will the gentleman from Minnesota explain the effect of the agreement of the conferees?

Mr. VOLSTEAD. The effect is stated in the last paragraph of our statement. There was an amendment added on the floor requiring the permission of the Secretary of the Treasury before any of these imitations or likenesses of revenue or postage stamps might be printed in catalogues, circulars, and things of that kind; but as the law itself requires that they shall be so defaced that there can not be any possibility of fraud, there is no necessity of that, and we agreed to strike out the amendment.

The SPEAKER pro tempore. The question is on agreeing to the conference report.

The conference report was agreed to.

#### REORGANIZATION OF THE ADMINISTRATIVE BRANCH.

Mr. TEMPLE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table for immediate consideration Senate Joint Resolution 282.

The SPEAKER pro tempore. The gentleman from Pennsylvania asks unanimous consent to take from the Speaker's table a Senate joint resolution, which the Clerk will report.

The Clerk read the title of S. J. Res. 282, to amend the resolution of December 29, 1920, entitled "Joint resolution to create a joint committee on the reorganization of the administrative branch of the Government."

The SPEAKER pro tempore. Is there objection?

Mr. GARRETT of Tennessee. Mr. Speaker, I object.

#### LEAVE TO EXTEND REMARKS.

Mr. HILL. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record on the farm loan act.

The SPEAKER pro tempore. The gentleman from Maryland asks unanimous consent to extend his remarks as indicated. Is there objection?

There was no objection.

Mr. HILL. Mr. Speaker, the time has come when we Members of this House, in the words of President Harding, must be militant "sentinels on the towers of constitutional government," instead of voting for any old thing that is backed by well-organized propaganda.

Mr. Speaker, yesterday, during the general debate on the bill—

to provide additional credit facilities for the agricultural and livestock industries of the United States; to amend the Federal farm loan act; to amend the Federal reserve act, and for other purposes—

I raised a question as to two provisions of the bill, as follows:

Mr. HILL. Will the gentleman yield?

Mr. LUCE. I will.

Mr. HILL. On page 17 of the report of the committee, I notice this: "The intermediate credit banks are permitted to rediscount paper purchased by them and to issue collateral trust notes and debentures based on such paper and sell the same for the procurement of additional loanable funds. These debentures are made tax free and may be purchased by Federal reserve banks with the restriction that no such debentures may be purchased by a Federal reserve bank which has a maturity of more than nine months from the date of purchase." I would like to ask the gentleman if he has estimated how much these tax-free securities will amount to?

Mr. LUCE. Six hundred million dollars.

Mr. HILL. The intermediate banks are to be capitalized and capital owned by the United States—\$5,000,000 a bank; \$60,000,000. Does the gentleman know why, in view of the fact that the United States Government is to be the sole stockholder, the shares are put at \$5 a share?

Mr. LUCE. Those are mysteries of the bill that I have not yet solved.

Although this House a few weeks ago expressed itself as opposed to tax-exempt securities, by this bill it authorizes 12 Government banks to issue \$600,000,000 worth of such tax-exempt securities.

I voted against the proposed constitutional amendment to do away with tax-exempt securities because it was a serious infringement upon the rights of the individual States, but I am opposed to tax-exempt securities. To-day I have voted with 36 others against this bill continuing tax-exempt securities, while 306 Members of this House voted for the bill with this, and all of its other provisions, putting the Federal Government definitely into the banking business.

I am happy to share the views of the gentleman from Ohio [Mr. BURTON] and the gentleman from New York [Mr. COCKRAN], both of whom opposed this bill in most able speeches yesterday. I sat beside Mr. COCKRAN just before he spoke, and I join in the universal sorrow of this House that it was the last speech of that great American who so long and with such distinction served his country in this body. His loss is to us personal and national.

This bill creates 12 Federal banks of whose capital stock the United States is to be sole owner. This is contrary to the spirit of our Constitution as I conceive it, and it is certainly against the platform of the Republican Party, the theory of which favored taking the Federal Government out of competition with private business.

The Republican platform said, "The fact is that the war, to a great extent, was financed by a policy of inflation through certificate borrowing from the banks and bonds issued at artificial rates, sustained by the low discount rates established by the Federal Reserve Board. The continuance of this policy since the armistice lays the administration open to severe criticism."

This bill creates "artificial rates," in addition to authorizing \$600,000,000 of tax-exempt securities. It is not for the real interest of the farmers, but is an encouragement to false financing. I agree with the clear and concise analysis of the bill by the gentleman from New York [Mr. HUSTED]. This bill is a poor hotchpotch of several bills and should not pass. I do not believe the Senate will pass it, since I recall the words of President Harding's address of acceptance of the nomination for the Presidency, when he said of the Senate, "Its Members are the designated sentinels on the towers of constitutional government."

I am for the pledge of the Republican platform for "the authorization of associations for the extension of personal credits," but this bill goes far beyond that. It puts the Federal Government finally into the private banking business and extends tax exemption. I am therefore one of the 36 who voted against this bill and not one of the 306 who voted for it.

## CALENDAR FOR UNANIMOUS CONSENT.

The SPEAKER pro tempore. The Clerk will call the Calendar for Unanimous Consent.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent for the present consideration of H. R. 12997.

The SPEAKER pro tempore. The Chair will recognize the gentleman after the call of the Calendar for Unanimous Consent.

## MISSISSIPPI RIVER FLOODS.

The first business on the Calendar for Unanimous Consent was the bill (H. R. 13459) extending the jurisdiction of the Mississippi River Commission and making available funds appropriated under authority of an act entitled "An act to provide for the control of the floods of the Mississippi River and of the Sacramento River, Calif., and for other purposes," approved March 1, 1917, for the purpose of controlling the floods of the Mississippi River from the mouth of the Ohio River to Rock Island, Ill., and for the purpose of controlling the floods of the tributaries of the Mississippi River between the mouth of the Ohio River and Rock Island, Ill., including levee protection and bank protection, in so far as said tributaries are affected by the flood waters of the Mississippi River.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill?

Mr. MONDELL. Mr. Speaker—

Mr. STAFFORD. Mr. Speaker, reserving the right to object—

Mr. HUMPHREYS of Mississippi. Mr. Speaker, I ask unanimous consent that that bill be passed over without prejudice.

The SPEAKER pro tempore. The gentleman from Mississippi asks unanimous consent that the bill be passed over without prejudice. Is there objection?

There was no objection.

## AUDITOR AND DEPUTY AUDITOR OF THE PHILIPPINE ISLANDS.

The next business on the Calendar for Unanimous Consent was the bill (S. 3617) to fix the salaries of the auditor and deputy auditor of the Philippine Islands.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CRAMTON. I object.

The SPEAKER pro tempore. The gentleman from Michigan objects.

The Clerk will report the next bill on the Calendar for Unanimous Consent.

## CERTAIN HOMESTEAD ENTRYMEN.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 2347) for the relief of certain homestead entrymen.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, when this bill was last under consideration the gentleman who reported the bill was temporarily out of the Chamber, and we passed the measure over temporarily in order to have some explanation of it. I notice that the author of the bill is present. Perhaps he can give some information as to the real effect of it. Before the gentleman explains the bill I wish to say that I would like to have information as to whether this measure will not put a premium upon settlers taking up homestead entries on Government land in our forest reserves.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That any homestead entryman of 160 acres or less of lands which have been or may hereafter be designated or classified by the Secretary of the Interior as subject to entry under the provisions of the enlarged homestead act of February 19, 1909, or June 17, 1910, who has not submitted final proof upon his existing entry, and any homestead entryman who has submitted final proof, or received patent, for such an amount of lands which have been or may hereafter be designated or classified by the Secretary of the Interior as of the character described in said act, and who owns and resides upon the said homestead entry, where said lands are within a national forest, may make an additional entry for and obtain patent to such an amount of land, of that same character, not in a national forest, and within a radius of 20 miles from said homestead entry, as, when the area thereof is added to the area of the original entry, will not exceed 320 acres, and residence upon the original entry shall be credited on both entries; but cultivation must be made on the additional entry as required by said act. For the purposes of this act the Secretary of the Interior is authorized to designate as subject to the enlarged homestead acts lands embraced, at the time of such designation, within valid subsisting entries within national forests.

Sec. 2. That any homestead entryman of 160 acres or less of lands which have been or may hereafter be designated or classified by the Secretary of the Interior as subject to entry under the provisions of the stock raising homestead act of December 29, 1916, who has not

submitted final proof upon his existing entry, and also any homestead entryman who has submitted final proof or received patent for such an amount of lands that are of the character described as subject to entry under the provisions of the said stock raising homestead act, and who owns and resides upon the said homestead entry, where said lands are within a national forest, may make an additional entry for and obtain patent to such an amount of land of that same character, not in a national forest and within a radius of 20 miles from said homestead entry, as, when the area thereof is added to the area of the original entry, will not exceed 640 acres, and residence upon the original entry shall be credited on both entries; but improvements must be made on the additional entry equal to \$1.25 for each acre thereof. For the purposes of this act the Secretary of the Interior is authorized to designate under the stock raising homestead act lands embraced, at the time of such designation, within valid subsisting entries within national forests.

The Clerk read the first committee amendment, as follows:

Page 1, line 7, strike out the word "and" and insert in lieu thereof the word "or."

The committee amendment was agreed to.

The Clerk read the second committee amendment, as follows:

Page 2, line 10, after the word "lands," at the end of the line, insert the following words: "embraced, at the time of such designation, within valid subsisting entries."

The committee amendment was agreed to.

The Clerk read the next committee amendment, as follows:

Page 3, line 8, after the word "lands," at the end of the line, insert the following words: "embraced, at the time of such designation, within valid subsisting entries."

Mr. BLANTON. Mr. Speaker, I ask recognition on the amendment.

Gentlemen of the committee, there is a unanimous report from the District of Columbia Committee—

Mr. MONDELL. Mr. Speaker, the discussion must be on the subject matter, the amendment to the bill.

Mr. BLANTON. The gentleman will save a lot of time if he allows me to proceed.

Mr. MONDELL. We are on the Unanimous Consent Calendar, and we are going to try to get through with it to-day. The discussion must be on the measure before the House.

Mr. BLANTON. This is a very important matter—

The SPEAKER pro tempore. The gentleman will confine himself to the amendment.

Mr. BLANTON. Mr. Speaker, I ask unanimous consent to speak for two minutes out of order.

The SPEAKER pro tempore. The gentleman from Texas asks unanimous consent to speak out of order for two minutes. Is there objection?

Mr. MONDELL and Mr. SNELL objected.

Mr. BLANTON. Mr. Speaker, I ask that we have a quorum from now on—to-day, to-morrow, the next day, and Sunday. I make the point of no quorum.

The SPEAKER pro tempore. The gentleman from Texas makes the point of no quorum. Evidently there is no quorum present.

Mr. STAFFORD. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The Clerk called the roll and the following Members failed to answer to their names:

Andrew, Mass.	Fenn	McDuffie	Ryan
Ansonge	Freeman	McFadden	Schall
Atkeson	Garner	McLaughlin, Pa.	Scott, Mich.
Bird	Gifford	McPherson	Scott, Tenn.
Blakeney	Glynn	Maloney	Shaw
Bowers	Goodykoontz	Michaelson	Shelton
Brand	Gorman	Mills	Slemp
Brennan	Gould	Montague	Smith, Mich.
Britten	Hawes	Moore, Ill.	Sprout
Brooks, Ill.	Hays	Morin	Stiness
Brown, Tenn.	Henry	Mudd	Stoll
Browne, Wis.	Huck	Newton, Minn.	Sullivan
Burdick	Jacoway	Nolan	Taylor, Ark.
Burke	Jeffers, Nebr.	O'Connor	Ten Eyck
Cantrill	Johnson, Miss.	Opp	Thomas
Carew	Jones, Pa.	Overstreet	Thorpe
Chandler, N. Y.	Kahn	Paige	Tinkham
Clague	Keller	Park, Ga.	Towner
Clark, Fla.	Kelley, Mich.	Parker, N. J.	Treadway
Classon	Kennedy	Patterson, Mo.	Turner
Clouse	Kindred	Paul	Ward, N. C.
Codd	King	Perkins	Webster
Cole, Ohio	Kitchin	Petersen	Wheeler
Connolly, Pa.	Knight	Pringley	White, Me.
Copley	Lampert	Purnell	Williams, Ill.
Crago	Larsen, Ga.	Radcliffe	Williams, Tex.
Crisp	Larson, Minn.	Rainey, Ala.	Williamson
Crowther	Lea, Calif.	Rayburn	Wise
Cullen	Lathicum	Reber	Wood, Ind.
Davis, Minn.	Lubring	Riddick	Wright
Drane	McArthur	Rodenberg	Wyant
Dupre	McClintic	Rose	Zihlman
Ellis	McCormick	Rossdale	

The SPEAKER pro tempore (Mr. DEMPSEY). On this call 297 Members have answered to their names, a quorum.

Mr. STAFFORD. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

#### GRADE PERCENTAGES OF ENLISTED MEN, UNITED STATES ARMY.

The next business on the Calendar for Unanimous Consent was the bill (S. 4037) to amend the grade percentages of enlisted men as prescribed in section 4b of the national defense act as amended.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I have given more consideration to this bill than I usually give to others because it is a matter that affects the Army. After reading the hearings, since the Unanimous-Consent Calendar was last considered, I can not bring myself to the opinion that they need the more than 1,000 additional noncommissioned officers than they now have in these three highest grades. I do not desire by any act of mine to cause the demotion of any of those in the higher grades, but I can not see where the War Department has made a case whereby they should have 1,000 more noncommissioned officers than they have at the present time. I realize that the percentages under the Army reorganization act were based originally upon an Army of 175,000, then 150,000, and now reduced to 125,000. There should be some percentage of increase in the higher grades, but to increase at this time by more than 1,000, entailing an expense of over a million and a half dollars, I do not think is warranted, when we are seeking to curtail Army expenditures for Army personnel, whether commissioned or noncommissioned.

Mr. BLANTON. Mr. Speaker, I demand the regular order.

The SPEAKER pro tempore. The gentleman from Texas demands the regular order. Is there objection?

Mr. STAFFORD. Mr. Speaker, if the regular order is demanded, I object.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had disagreed to the amendments of the House to the bill (S. 4280) to provide for the incorporation and supervision of corporations formed for the purpose of making agricultural and live-stock loans; to amend the Federal reserve act; to amend the Federal farm loan act; to extend and stabilize the market for United States bonds and other securities; to provide fiscal agents for the United States; and for other purposes; had requested a conference with the House of Representatives on the disagreeing votes of the two Houses thereon, and had appointed Mr. McLEAN, Mr. CALDER, Mr. PEPPER, Mr. OWEN, and Mr. HITCHCOCK as the conferees on the part of the Senate.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the amendment of the Senate to the bill (H. R. 11939) to amend section 5219 of the Revised Statutes of the United States.

#### SCHOOL FUND OF CHEROKEE NATION OF OKLAHOMA.

The next business on the Calendar for Unanimous Consent was House Resolution 393, directing the Attorney General to make an immediate investigation of the school fund of the Cherokee Nation in Oklahoma.

The SPEAKER pro tempore. Is there objection?

Mr. HAYDEN. Mr. Speaker, reserving the right to object, the gentleman from Oklahoma [Mr. CARTER] stated that he had objection to the passage of this resolution, and that if he were not here to at least have it passed over without prejudice. I would not want the resolution passed in his absence. I ask unanimous consent that it go over without prejudice.

The SPEAKER pro tempore. Is there objection to the request that the resolution be passed over without prejudice?

There was no objection.

#### CHIPPEWA INDIANS, MINNESOTA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 13953) authorizing, for the relief of the distress of the Chippewa Indians of Minnesota, the withdrawal of moneys from the tribal funds of said Indians.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object—

Mr. MONDELL. Mr. Speaker, do I understand that the gentleman from Wisconsin objected to the bill S. 4037, respecting the grade percentages of enlisted men, which was under consid-

eration a moment ago? I think that is a very worthy bill, and it is legislation that we ought to have. I trust that we may have fair consideration of these measures. This is the last opportunity to go through this calendar.

Mr. BLANTON. Mr. Speaker, I make the point of order that that has been objected to.

The SPEAKER pro tempore. The gentleman can withdraw his objection, if he is disposed to do so.

Mr. BLANTON. But we have taken up another bill since that time.

Mr. STAFFORD. Mr. Speaker, I made the objection under the demand of the regular order. I did not intend to object at the moment, but as the regular order was demanded, necessarily I was compelled to object.

The SPEAKER pro tempore. Does the gentleman withdraw his objection?

Mr. STAFFORD. I am willing to reserve the objection.

Mr. BLANTON. Mr. Speaker, I reserve the objection to the bill H. R. 13953, just reported, and in that connection I ask unanimous consent to proceed for three minutes out of order.

The SPEAKER pro tempore. Is there objection?

Mr. MONDELL. Mr. Speaker, I object.

Mr. BLANTON. I think we should have a quorum present, and I make the point of order that there is no quorum present.

The SPEAKER pro tempore. The gentleman from Texas makes the point of order that there is no quorum present. Evidently there is not.

Mr. MONDELL. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The SPEAKER pro tempore. The Doorkeeper will close the doors, the Sergeant at Arms will bring in absent Members, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Ansorge	Faust	Logan	Riddick
Anthony	Fordney	Longworth	Rosenberg
Atkeson	Foster	Luhning	Rose
Bell	Freeman	McClintic	Rosenbloom
Bird	French	McCormick	Rossdale
Bowers	Frothingham	McDuffie	Ryan
Brand	Funk	McFadden	Schall
Brennan	Gahn	McLaughlin, Pa.	Scott, Mich.
Britten	Garner	Madden	Scott, Tenn.
Brooks, Ill.	Gifford	Maloney	Shelton
Brown, Tenn.	Glynn	Mead	Sisson
Browne, Wis.	Gorman	Michaelson	Slomp
Burke	Gould	Moore, Ill.	Smith, Mich.
Cantrill	Graham, Pa.	Mott	Snell
Carew	Green, Iowa	Mudd	Stiness
Carter	Hawes	Nelson, Me.	Stoll
Chandler, N. Y.	Hays	Nelson, A. P.	Sullivan
Chandler, Okla.	Henry	Nelson, J. M.	Taylor, Ark.
Clark, Fla.	Huck	Nolan	Ten Eyck
Classon	Husted	O'Connor	Thomas
Clouse	Jacoway	Oliver	Thorpe
Codd	Jeffers, Nebr.	Olpp	Treadway
Connolly, Pa.	Johnson, Miss.	Overstreet	Underhill
Crago	Johnson, S. Dak.	Paige	Vinson
Crowther	Jones, Pa.	Park, Ga.	Ward, N. C.
Cullen	Kahn	Patterson, Mo.	Webster
Curry	Keller	Paul	Wheeler
Dale	Kelley, Mich.	Perkins	White, Me.
Davis, Minn.	Kennedy	Petersen	Williams, Ill.
Deinson	Kindred	Porter	Williams, Tex.
Dominick	King	Pringley	Winslow
Drane	Kitchin	Purnell	Wise
Dupré	Knight	Rainey, Ala.	Wood, Ind.
Echols	Lampert	Reber	Zihlman
Edmonds	Larson, Minn.	Reed, N. Y.	
Ellis	Layton	Rhodes	

The SPEAKER pro tempore. On this call 282 Members have answered to their names. A quorum is present.

Mr. MONDELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

Mr. RAKER. Mr. Speaker, I ask unanimous consent that I may extend my remarks on House Joint Resolution 171 relating to the Hawaiian Islands.

The SPEAKER pro tempore. The gentleman from California asks unanimous consent to extend his remarks in the manner indicated. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, are they the gentleman's own remarks?

Mr. RAKER. I want to insert in the Record a statement of President Roosevelt—

Mr. SHAW. I object.

Mr. LITTLE. Mr. Speaker, I ask unanimous consent to extend my remarks on the bill reported from the Agricultural Committee about wheat.

Mr. RAKER. Reserving the right to object, coupling my request with it—

Mr. STAFFORD. The gentleman can not do that.

Mr. RAKER. Well, then I object—

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kansas?

Mr. RAKER. I object.

Mr. LITTLE. Mr. Speaker, I renew my request.

Mr. RAKER. I renew my objection. If I can not be given permission, none shall go through.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill?

Mr. BLANTON. Which bill?

The SPEAKER pro tempore. The bill H. R. 13953.

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I understood the substance of this bill was incorporated in the omnibus Indian legislative and appropriation act. I ask unanimous consent that this may be passed over without prejudice.

The SPEAKER pro tempore. The gentleman from Wisconsin asks unanimous consent that the bill be passed without prejudice. Is there objection? [After a pause.] The Chair hears none.

#### CONTRACT WITH ELEPHANT BUTTE IRRIGATION DISTRICT.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 13550) authorizing the Secretary of the Interior to enter into a contract with the Elephant Butte Irrigation District of New Mexico and the El Paso County Improvement District No. 1, of Texas, for the carrying out of the provisions of the convention between the United States and Mexico, proclaimed January 16, 1907, and providing for compensation therefor.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, we have had this bill up for consideration, I would say, at a former date in a small way, but the gentleman from Texas is pressing for immediate and early action. It is an important proposal, and I think some explanation should be made further by the gentleman from Texas as to the exigency, if there is one, and why we should take up the matter now.

Mr. HUDSPETH. Permit me to say to the gentleman from Wisconsin that he will see from this report that I hold in my hand a statement in Secretary Fall's letter that the people of Texas and New Mexico, under the Elephant Butte project, are having to pay \$35,000 annually in order to carry out the contract entered into between this country and Mexico for the delivery of 25,000 acre-feet of water.

Now, mark you, gentlemen, that this bill provides that this is a final settlement in regard to this matter and that my people agree to carry out this contract made between this country and Mexico in the future, in perpetuity, and I state to you that if you pass this bill now and not defer until the next session of Congress—as some gentlemen think we should do—that it will be the means of saving this Government several hundred thousand dollars. This bill is not all that we could legally claim and justly present. But my people were satisfied with this amount and I am pleading with you gentlemen to take up this bill and pass it and make a just settlement with my people.

We had almost two weeks' hearing on this bill before the Irrigation Committee of the House, and this committee went into this matter thoroughly and many members of that committee found that the United States was indebted to the water users in a greater sum than we are asking here to-day. Mr. Burges and the other gentlemen representing these projects were satisfied with this amount. It is a final settlement of the controversy. The water users of this State will have to carry out this contract in the future or the director general of reclamation can force them to do it.

I secured a rule from the Committee on Rules, without a dissenting vote of that committee, but I do not wish to take up the time of this House by having this rule presented, and I trust that the gentleman will let me take it up to-day under unanimous consent. I might not have a chance of getting up this rule.

Mr. STAFFORD. Surely not. The gentleman in his brief experience has become aware that a rule does not amount to much in the closing days of the Congress.

Mr. HUDSPETH. I did not want to get up the rule unless it was necessary and take up the time, but it is a just measure—

Mr. STAFFORD. When this bill was under consideration before I recognized the equity—

Mr. HUDSPETH. The gentleman so stated.

Mr. STAFFORD. The equity of the users of the water to their pledge to pay these rentals. I could see there was considerable equity on the part of the Government to contribute

something toward carrying out the treaty obligations entered into between our Government and the United States of Mexico. I thought then it was rather too important a proposal to take up under the Unanimous Consent Calendar, but if the gentleman says there is no question but what this million dollars will be the fixed price—

Mr. HUDSPETH. That is the final outcome—

Mr. STAFFORD. And will not be increased—

Mr. HUDSPETH. Congress will not be harassed.

Mr. STAFFORD. But will be a finality so far as the understanding existing between our Government and these users is concerned—

Mr. HUDSPETH. That is the situation.

Mr. STAFFORD. And in order to relieve the embarrassed condition of the Committee on Rules, who, I think, have 57 rules—and if I am exaggerating I would like to stand corrected—I will in this instance not press the Committee on Rules to consider this bill any further.

Mr. HUDSPETH. I thank the gentleman.

Mr. STAFFORD. I withdraw the reservation of objection.

The SPEAKER pro tempore. The Clerk will read the bill.

The Clerk began the reading of the bill.

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that the committee amendment be read in lieu of the bill.

The SPEAKER pro tempore. The gentleman from Wisconsin asks unanimous consent that the committee amendment be read in lieu of the bill. Is there objection? [After a pause.] The Chair hears none.

The Clerk read the committee amendment, as follows:

Strike out all after the enacting clause and insert:

"That in connection with the Rio Grande Federal irrigation project in New Mexico and Texas, and as a final settlement of the subject, the Secretary of the Interior is authorized to enter into contracts with the Elephant Butte Irrigation District of New Mexico and the El Paso County Water Improvement District No. 1, of Texas, under which said districts shall agree to store and deliver 60,000 acre-feet of water annually in the bed of the Rio Grande at the head works of the Acquia Madre above the city of Juarez, Mexico, as provided by the treaty of January 16, 1907 (34 Stats., p. 2953), between the United States of America and the United States of Mexico, and under which, in case of default by said districts, the Secretary of the Interior may undertake and fulfill such contracts and such treaty obligation and collect the cost thereof from said districts.

"SEC. 2. That upon the mutual execution and delivery of said contract and in consideration thereof the Secretary of the Interior is authorized and directed to credit the construction cost of said Rio Grande Federal irrigation project with the sum of \$1,000,000, thereby reducing by that amount the total construction charge due from the water users under said project to the United States, and shall issue a certificate to that effect to the Secretary of the Treasury of the United States.

"SEC. 3. That upon receipt of such certificate the Secretary of the Treasury of the United States is authorized and directed to accept the same in lieu and in full satisfaction of the next installment of \$1,000,000 due the general fund of the Treasury of the United States from the reclamation fund, under the provisions of the act of June 25, 1910 (36 Stats., p. 835), as amended by the act of June 12, 1917 (40 Stats., p. 149)."

The SPEAKER pro tempore. The question is on the committee amendment.

Mr. RAKER. Mr. Speaker, before I proceed I ask unanimous consent to extend my remarks in the RECORD regarding peon labor in Hawaii up to 1890, on the adoption of the joint resolution to provide for the annexation of the Hawaiian Islands, on July 7, 1898, and on to and including the 30th day of April, 1900, when the organic act was passed, and present condition of peon labor, running from that time down to the present, and the effort to restore peonage and contract labor in the Territory of Hawaii by virtue of House Joint Resolution 171, by including a statement of President Roosevelt, by including a statement and a history of the case by Mr. Patterson, of Indiana, and an article in the Saturday Evening Post, and a few remarks of my own on the subject.

Mr. SIEGEL. Reserving the right to object, Mr. Speaker—

Mr. STAFFORD. Oh, we can not permit the incorporation in the RECORD of things as old as 1890.

Mr. RAKER. It involves a real live problem now.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. I object.

Mr. MONDELL. I suggest that the gentleman confine it to his own remarks.

Mr. RAKER. I can not do that, because I want to refer to the history of this situation and the conditions then and now existing and that contemplated by House Joint Resolution 171, and I was not there when this history was made.

The SPEAKER pro tempore. Objection is made.

Mr. RAKER. Now, Mr. Speaker, I am going to talk on the bill. I admit that just now I did branch off a little to another matter [laughter], but this bill involves \$1,000,000. From the report of the Secretary and the hearings it is shown that there

was no final settlement, and the project was left as a continued drain on the Government, amounting to from \$25,000 to possibly \$50,000 a year. I went into the matter very thoroughly and took the matter up with the Secretary of the Interior, and I want to say this—and I think I am entitled to it—I suggested to the Secretary of the Interior personally and to his associate, Mr. Finney, that there should be a full and final settlement, and that there should be a requirement on the part of the water users to continue this use, and if they did not, this work shall be done by the Government, and then this expense charged up to the projects and thereafter be of no expense to the Government. That was my suggestion to the Secretary. It was adopted by the department and the committee. I feel quite well satisfied with this work. I have tried in all other such matters to make good suggestions for the administration of the affairs of the Government.

As to Hawaii, a Territory of the United States, I feel so keenly on the matter that I do not believe that the Members of the House, if they knew the history and facts regarding the Hawaiian Islands, would object for a moment for the public to know the condition of those islands regarding the population, the tense issues now pending as to what will become of the islands, and labor conditions. It can not be set aside much longer.

Mr. MONDELL. Mr. Speaker, I insist that the gentleman speak on the amendment.

Mr. RAKER. I did slip off the amendment a little. I concede that.

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The SPEAKER pro tempore. Without objection, the title will be amended in accordance with the text of the bill.

There was no objection.

Mr. HUDSPETH. Mr. Speaker, I move to reconsider the vote whereby the bill was passed and to lay that motion on the table.

Mr. STAFFORD. I object to that. We are not having that to-day.

Mr. HUDSPETH. All right.

The SPEAKER pro tempore. The Clerk will report the next bill.

#### MARINE HOSPITAL, DETROIT, MICH.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 13961) authorizing the Secretary of the Treasury to sell the United States marine hospital reservation and improvements thereon at Detroit, Mich., and to acquire a suitable site in the same locality and to erect thereon a modern hospital for the treatment of beneficiaries of the United States Public Health Service, and for other purposes.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, we passed a bill of similar import, so far as Cleveland, Ohio, is concerned. This relates, I notice, to the old marine hospital in the business district of Detroit. I am rather in sympathy with the purpose of the bill, but I would like to inquire as to the necessity of the limitation in section 4 as to the 3 per cent of the amount received from the sale of the said hospital being available for the payment of architect's fees.

Mr. LANGLEY. The author of the bill, the gentleman from Michigan [Mr. BRENNAN], is not in the city. I can speak only in a general way from my recollection of the hearings on the bill. I recall that the Surgeon General of the Public Health Service made a report recommending that this legislation be enacted, for the reason that the present site is in a section of the city where business establishments have been erected, factories, and so forth, and the noise and smoke from them makes this location wholly unsuited for a hospital.

The Surgeon General thinks that there is no question about the proceeds of the sale being sufficient to get another site that is suitable and to erect a suitable building thereon.

This limitation was approved by the Surgeon General, presumably to expedite the construction of a building. That is, he thought this 3 per cent limitation would be sufficient. I am only conjecturing as to that.

Mr. STAFFORD. Will the gentleman inform the House as to how much it is estimated will be received from the sale of this property?

Mr. LANGLEY. I do not recall. I do not happen to have with me the letter of the Surgeon General. I expected the author of the bill to be here to-day. He is entirely familiar with the details. But the Surgeon General said, as I recall, that, on investigation, he was confident that the proceeds would be entirely sufficient to purchase a new site and erect thereon a building such as the Public Health Service needed.

Mr. STAFFORD. What is the estimate of cost of the new hospital building?

Mr. LANGLEY. About \$600,000 or perhaps less.

Mr. MICHENER. About \$500,000.

Mr. STAFFORD. Then why should there not be a limitation placed here to that effect, that the site and buildings should not exceed \$500,000?

Mr. LANGLEY. It does not, in any event, involve any additional charge on the Treasury.

Mr. STAFFORD. If the Government has a valuable piece of property to dispose of, it should place a limitation on the cost of the building, and not leave it to the whim of the Public Health Service to expend the entire amount received from the sale of the property.

Mr. LANGLEY. I will say to the gentleman that the committee followed the recommendation of the Surgeon General of the Public Health Service in approving the bill as it stands.

Mr. STAFFORD. If some member of the committee will offer an amendment to limit the cost to \$500,000 I will have no objection.

Mr. BLANTON. I should like to ask the gentleman from Kentucky a question. If I understand it, this hospital is not to be used for ex-service men?

Mr. LANGLEY. It is to be used for the same purpose for which the hospital there has been used heretofore.

Mr. BLANTON. For the Public Health Service, but is it not one of our ex-service men's hospitals?

Mr. LANGLEY. I do not recall whether this particular hospital was transferred under the Executive order to the jurisdiction of the Veterans' Bureau or not, and I do not happen to know what character of patients are admitted.

Mr. BLANTON. The other day when I finished checking up the number of available beds that are now in the various hospitals which we have provided for the ex-service men I was surprised to find the number of available beds that are now vacant. As the years roll along these hospitals are going to be needed less and less all the time.

Mr. LANGLEY. That is a mooted question.

Mr. BLANTON. The first thing you know we are going to have a lot of hospitals on our hands with no use for them.

Mr. LANGLEY. I think not. At any rate this hospital is already on our hands, and has been in use for many years.

Mr. BLANTON. I know, but we are trying to get something bigger on our hands.

Mr. CHINDBLOM. Will the gentleman permit me to answer his question?

Mr. BLANTON. Certainly.

Mr. CHINDBLOM. This hospital is in Detroit. Detroit is one of the most important of the Great Lakes ports. This, as I recall it, is purely a marine hospital, and it is absolutely essential to have a marine hospital in Detroit. It was there long before we had the new hospitals which have been built for the veterans of the World War.

Mr. BLANTON. Will the gentleman tell me how many Government-owned hospitals we have now in Michigan?

Mr. CHINDBLOM. Not very many.

Mr. BLANTON. Can anybody tell us how many?

Mr. STAFFORD. The hospital to be constructed at Camp Custer is to be one of the largest hospitals under the Veterans' Bureau.

Mr. BLANTON. Can any gentleman tell us what other hospitals there are in Michigan?

Mr. CHINDBLOM. My understanding is that the reason for the location of the hospital at Camp Custer was because there was no other hospital there for the treatment of ex-service men.

Mr. BLANTON. I do not believe we ought to pass this bill now under unanimous consent, in the closing hours of Congress, with the superficial investigation that has been had.

Mr. CHINDBLOM. My interest in this matter arises from the fact that there is a marine hospital in Chicago in my own district, and I know the necessity for marine hospitals at ports. It is very essential to have marine hospitals in Lake ports for the sailors on the Lakes.

Mr. BLANTON. But we can not have them in every place.

Mr. CHINDBLOM. Detroit is one of the great ports of the Lakes.

Mr. HERRICK. Mr. Speaker, I want to call the attention of the gentleman from Texas [Mr. BLANTON] to the fact that per-

haps he ought not to begin to feel concerned about the number of empty beds that we now have available on the theory that we are never going to have any further use for them, for the reason that I want to remind the gentleman from Texas that just about as soon as we get everything lovely the profiteers will discover that there is something to be gained from another war, and they will kick up another fight and we shall need all the beds we have.

Mr. BLANTON. We are going to be here to stop anything of that kind. I object, Mr. Speaker.

Mr. ELLIS. Will the gentleman reserve his right to object—

Mr. BLANTON. I object, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Texas objects. The Clerk will report the next bill.

#### POST OFFICE AND PUBLIC BUILDING AT BELDING, MICH.

The next bill on the Calendar for Unanimous Consent was the bill (H. R. 13596) providing for the erection of a post office and public building at Belding, Mich.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. MONDELL. Mr. Speaker, I regret very sincerely that I must object.

The SPEAKER pro tempore. The gentleman from Wyoming objects.

Mr. MONDELL. If I may make a statement—if we should pass this bill and it should go to the Senate, it might blossom out and burgeon into a full-fledged omnibus public building bill.

Mr. BLANTON. I have no objection to the gentleman making that statement.

Mr. MONDELL. I must object to the consideration of the bill.

The SPEAKER pro tempore. The Clerk will report the next bill.

#### PUBLIC BUILDING AT KEYTESVILLE, MO.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 14039) authorizing the acquisition of a site and the erection of a public building at Keytesville, Mo.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. BLANTON. Mr. Speaker, reserving the right to object, I have a public matter of great importance on which I would like to address my colleagues for three minutes, and I ask unanimous consent, under the reservation of objection, to address my colleagues for three minutes out of order.

The SPEAKER pro tempore. The gentleman from Texas asks unanimous consent to address the House for three minutes out of order. Is there objection?

Mr. STEPHENS. Mr. Speaker, I object.

Mr. BLANTON. I think we ought to have a quorum. I make the point of order that there is no quorum present.

The SPEAKER pro tempore. The gentleman from Texas makes the point of order that there is no quorum present. Evidently there is no quorum present.

Mr. STAFFORD. Mr. Speaker, I move a call of the House. The SPEAKER pro tempore. The gentleman from Wisconsin moves a call of the House.

A call of the House was ordered.

The SPEAKER pro tempore. The Doorkeeper will close the doors. The Sergeant at Arms will bring in absent Members. The Clerk will call the roll.

The Clerk called the roll, when the following Members failed to answer to their names:

Ansorge	Cullen	Keller	Nolan
Bird	Davis, Minn.	Kelley, Mich.	O'Connor
Boles	Davis, Tenn.	Kelly, Pa.	Olpp
Brand	Denison	Kennedy	Overstreet
Brennan	Drane	Kindred	Paige
Britten	Dunn	King	Park, Ga.
Brooks, Ill.	Dupré	Kitchin	Parks, Ark.
Brown, Tenn.	Ellis	Klecza	Patterson, Mo.
Browne, Wis.	Faust	Kraus	Patterson, N. J.
Burdick	Fenn	Layton	Paul
Burke	Focht	Lee, Ga.	Perkins
Burness	Frear	Linthicum	Petersen
Burton	Free	Little	Pringle
Cantrill	Freeman	Longworth	Rainey, Ala.
Carew	Funk	Lubling	Reber
Carter	Garner	McClintic	Riddick
Chandler, N. Y.	Glynn	McCormick	Rodenberg
Chandler, Okla.	Gould	McLaughlin, Nebr.	Rose
Clark, Fla.	Griffin	McLaughlin, Pa.	Rossdale
Classon	Hawley	McPherson	Rucker
Clouse	Hayden	MacLafferty	Ryan
Codd	Hays	Maloney	Schall
Collier	Huck	Martin	Scott, Mich.
Connolly, Pa.	Jacoway	Michaelson	Selton
Cooper, Ohio	Jeffers, Nebr.	Moore, Ill.	Sisson
Copley	Johnson, Miss.	Mott	Slemp
Crago	Jones, Pa.	Mudd	Smith, Mich.
Crowther	Kahn	Nelson, A. P.	Sproul

Stedman	Thomas	Voigt	Wise
Stiness	Thorpe	Ward, N. C.	Wood, Ind.
Stoll	Timberlake	Webster	Woodruff
Sullivan	Treadway	Wheeler	Zihlman
Taylor, Ark.	Turner	White, Me.	
Ten Eyck	Vinson	Williams, Tex.	

The SPEAKER pro tempore. On this roll call 291 Members have answered to their names. A quorum is present.

Mr. MONDELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

The SPEAKER pro tempore. The Clerk will report the next bill on the Unanimous Consent Calendar.

#### PUBLIC BUILDING AT KEYTESVILLE, MO.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 14039) authorizing the acquisition of a site and the erection of a public building at Keytesville, Mo.

The SPEAKER pro tempore. Is there objection?

Mr. MONDELL. Mr. Speaker, I regret that I must object.

#### CENTRAL BUILDING FOR ART AND INDUSTRY.

The next business on the Calendar for Unanimous Consent was the joint resolution (S. J. Res. 218) to create a commission to consider the proposal of a central building for art and industry in the District of Columbia.

The SPEAKER pro tempore. Is there objection?

Mr. BLANTON. I object.

#### BRIDGE ACROSS TUGALOO RIVER, S. C. AND GA.

The next business on the Calendar for Unanimous Consent was the bill (S. 4387) to authorize the building of a bridge across the Tugaloo River, between South Carolina and Georgia.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Mr. Speaker, was not this bill passed in the early session of the House to-day?

The SPEAKER pro tempore. The Chair is informed that this bill has not been before the House. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the State Highway Department of South Carolina and the State Highway Department of Georgia, in cooperation with the properly constituted authorities of Oconee County, S. C., and Stephens County, Ga., be, and they are hereby, authorized to construct, operate, and maintain a highway bridge and approaches thereto across the Tugaloo River, at a point suitable to the interests of navigation and at or near a point known as the old Southern Railroad bridge, between the counties of Oconee, S. C., and Stephens, Ga., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Sec. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Mr. SEARS. Mr. Speaker, I move to strike out the last word. I would like to ask the chairman of the committee if this is a toll bridge.

I ask the question because last year during the closing hours a bill was passed similar to this permitting the construction of a bridge between Georgia and Florida. That bridge was a toll bridge, and I have been trying month after month to get a bill reported from the Interstate and Foreign Commerce Committee to repeal that bill because, unless it is repealed, the main highway from the North to the South will be stopped, because under the Federal law no Federal money can be spent, or at least will be spent, on a road leading up to a toll bridge. I think it is important to find out whether we are going to get into the same position now that we got into then.

Mr. WINSLOW. I will say to the gentleman from Florida that according to the communication from the Secretary of Agriculture we give this a clean bill of health. The gentleman is laboring under some misinformation.

Mr. SEARS. I would like to know what is the misinformation.

Mr. WINSLOW. I do not think it is the law that provides that no Federal money can be spent on a road leading to a toll bridge.

Mr. SEARS. I understand that is the law, and if it is not the law I will try to have it incorporated into the law.

Mr. WINSLOW. It may be so, but I do not know it.

The bill was ordered to be read the third time, was read the third time, and passed.

#### BRIDGE ACROSS RED RIVER, MONTAGUE COUNTY, TEX.

The next business on the Calendar for Unanimous Consent was the bill S. 4122, an act granting the consent of Congress to the Interstate Toll Bridge Co. for the construction of a bridge across Red River between Montague County, Tex., and Jefferson County, Okla.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the consideration of the bill? [After a pause.] The Chair hears none.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the consent of Congress is hereby granted to the Interstate Toll Bridge Co. to construct, maintain, and operate a bridge and approaches thereto across the Red River at a point suitable to the interests of navigation between Montague County, Tex., and Jefferson County, Okla., in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Sec. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

Mr. BLANTON. Mr. Speaker, I move to strike out the last word. Mr. Speaker, I do this, as I have been trying to do for an hour, for the purpose of calling the attention of my colleagues to a matter of great public importance. I have no private bill on this calendar. I have not had any private bills on the calendar. The question I am interested in is a public matter.

With the exception of the policemen and firemen of this District every other employee of the District of Columbia and of the Government gets one day off each week in lieu of Sunday where they do not get Sunday. The policemen and firemen of this District do not get that day off; they have to work Sundays and seven days in the week. I want to appeal for these police and firemen to my colleagues in all fairness and justice—if you are all fair-minded men—

Mr. BEEDY. Mr. Speaker, I make the point of order that the gentleman is not speaking in order.

Mr. BLANTON. Will not the gentleman permit me to bring this just matter before the House?

Mr. BEEDY. The gentleman is not speaking to his amendment.

Mr. BLANTON. I make the point that there is no quorum.

Mr. POU. Mr. Speaker, I make the point of order that the gentleman's point of order is dilatory.

Mr. BLANTON. There is no quorum present. The Constitution requires one at all times.

Mr. POU. Mr. Speaker, the record shows that the point has been made three times within the last hour, and a quorum has been developed every time. The point was made within 20 minutes. If the Chair desires to hear any authorities for that, I have them here.

The SPEAKER pro tempore. The Chair would be glad to have the gentleman produce the citation.

Mr. POU. Mr. Speaker, I refer the Chair to section 986 of the Manual:

On July 24, 1919, pending the demand for the previous question, Mr. CHAMTON moved that the House do now adjourn. The motion was lost, and after debate a point of order that no quorum was present was made, and after the roll was called a quorum appeared. Thereupon, a motion to lay the bill on the table was rejected on another roll call, when Mr. CHAMTON again moved that the House do now adjourn.

Mr. MANN made the point of order that the motion was dilatory.

The SPEAKER. The Chair thinks it is clearly dilatory.

Mr. CHAMTON. There has been intervening business.

The SPEAKER. The question whether the motion to adjourn is dilatory, the Chair thinks, does not depend simply on the time that has elapsed or the business that has intervened. The question is whether the motion is really dilatory or not; and one of the decisions which the Chair thinks is entitled to great weight says that not only should the Chair himself be satisfied that the motion is dilatory, but that the Chair should be satisfied that the House is satisfied that it is dilatory. In the present instance the Chair thinks the House must be satisfied that the motion is dilatory, and the Chair sustains the point of order.

Mr. Speaker, the gentleman from Texas has made this point of order three times within the last hour. The gentleman from Texas was on his feet addressing the House and was taken off his feet by a point of order. I make the point of order that it is perfectly clear that the gentleman from Texas is making his point of no quorum out of resentment because of the point of order made which cut off his address. I do not believe the gentleman from Texas himself will deny that. The rules of the House are made to transact business, not to stop the transaction of business. I make the point of order that with the surrounding circumstances, with the facts that have transpired in the presence of the Speaker, there is only one construction that can be put upon the point of order of the gentleman from Texas, and that is that he is holding up the business of the House in order to force this House to allow something that is not permitted under the rules of the House.

Mr. BLANTON. Mr. Speaker, this is a constitutional question.

Mr. POU. I respectfully submit that in view of the appearance of a quorum promptly on three former occasions, within the last hour, the Speaker should assume that there is a quorum here now and should not permit any Member to hold up the business of the House.

Mr. BLANTON. Mr. Speaker, there is a quorum present now, and I withdraw the point.

The SPEAKER pro tempore. The Chair does not recognize the gentleman from Texas.

Mr. BLANTON. But I have the right to withdraw the point, a quorum now having appeared, and I do withdraw it.

Mr. MONDELL. Mr. Speaker, I call attention to the fact that the gentleman who made the point has repeatedly stated in the House that he would tie up the business of the House; that he would prevent the House from doing business.

Mr. BLANTON. I said that I would require them to keep a constitutional quorum here, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Texas will take his seat.

Mr. GARRETT of Tennessee. Mr. Speaker, the gentleman from Texas has withdrawn the point.

The SPEAKER pro tempore. It is clear that there is nothing for the Chair to do except to direct the Clerk to proceed with the regular order, the point of order having been withdrawn. The Clerk will read the bill a third time.

The bill was read a third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The bill was passed.

#### CHANGING THE DATE FOR THE SESSIONS OF CONGRESS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 14186) fixing dates for the beginning of regular sessions of Congress.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. HERRICK. Mr. Speaker, I object.

Mr. STAFFORD. Mr. Speaker, I object.

Mr. ANDREWS of Nebraska. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice for the present.

The SPEAKER pro tempore. Is there objection?

Mr. GARRETT of Tennessee. Mr. Speaker, reserving the right to object, I should like to know if it is the thought of the gentleman to attempt to call this bill up before the adjournment of the present session?

Mr. ANDREWS of Nebraska. That will depend upon the action taken on Senate Joint Resolution 253.

Mr. BLANTON. Mr. Speaker, I object.

Mr. GARRETT of Tennessee. Mr. Speaker, I object to the request of the gentleman from Nebraska and I object to the consideration of the bill.

#### EXTENSION OF REMARKS.

Mr. LITTLE. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record upon the wheat bill which I introduced, which has been favorably reported.

The SPEAKER pro tempore. Is there objection?

Mr. RAKER. Mr. Speaker, I am willing to withdraw my objection to the gentleman's request.

There was no objection.

The extension of remarks referred to is here printed in full as follows:

Mr. LITTLE. Mr. Speaker, in December I introduced a bill with regard to stabilizing the price of wheat. With gradual improvements, several of those bills have been introduced, next to the last of which was reported to the House with a recommendation that it become the law with four slight amendments. Since then, with the full benefit of the views of the committee, I have introduced bill 14400, which reads as follows:

#### IN THE HOUSE OF REPRESENTATIVES,

February 21, 1923.

Mr. LITTLE introduced the following bill; which was referred to the Committee on Agriculture and ordered to be printed:

A bill (H. R. 14400) to authorize the Secretary of Agriculture to purchase, store, and sell wheat, and to secure and maintain to the producer a reasonable price for wheat and to the consumer a reasonable price for bread, and to stabilize wheat values.

*Be it enacted, etc.,* That the Secretary of Agriculture is hereby authorized to buy wheat of such grades and quality as he designates, at such times and places as he directs, at not to exceed \$1.10 a bushel and at not to exceed the market price at said times and places, except when wheat is being sold there and then at less than \$1 a bushel, when he may pay \$1 a bushel for said wheat if he deems best; and an appropriation of \$30,000,000 is hereby authorized for the purchase, transportation, storage, and insurance of said wheat.

Whenever the Secretary of Agriculture has accumulated in elevator storage 1,000,000 bushels of wheat or more, Treasury certificates shall be issued to the Secretary of Agriculture at such interest and for such times as the Secretary of the Treasury shall name, but with authority to the Secretary of Agriculture to pay them prior to their expiration if he shall see fit. They shall be issued in such amount as the Secretary of the Treasury shall hold to be properly secured by the wheat then in storage. But whenever the wheat on which these certificates are issued is sold that money shall be applied to the discharge of that particular indebtedness and to pay off those certain certificates, and this process may continue whenever the Secretary of Agriculture has a million or more bushels of wheat in storage on which no certificates have issued.

The wheat he buys shall be stored in elevators under warehouse receipts. When any 2,000 bushels or more of wheat shall have been held by the Secretary for more than 30 days, thereafter it shall be stored in bonded elevators.

The Secretary of Agriculture may from time to time sell wheat at not less than the market price in Minneapolis; Buffalo; Kansas City, Kans.; Chicago; and New York City, as he shall deem to be the best interests of the Nation.

Whenever wheat of the aforesaid grades and quality can not be bought in Chicago and New York City for less than \$1.85 per bushel, the Secretary of Agriculture shall proceed to sell as much of the wheat he holds in storage as he deems wise, at such prices as shall be considered proper by him, and so continue as in his judgment such sales shall be to the best interests of the Nation.

The \$30,000,000 first appropriated, the money derived from the sale of the certificates authorized, and the money derived from the sale of wheat by the Secretary as hereinbefore authorized, or for this fund from any other source, shall constitute a revolving fund for carrying out the provisions of this act. If the sale of any wheat made security for any given certificates shall not be sufficient to take up those certificates, the balance may be discharged from the said revolving fund.

The President of the United States shall appoint, for a term of four years and subject to removal by him, an officer in the Department of Agriculture, to be known as the superintendent of grain and bread, at a salary of \$10,000 a year, who shall maintain in Washington an office as his headquarters, employing, subject to the approval of the Secretary of Agriculture, such assistants in said headquarters and such agents for the purchase and sale of wheat as shall be appropriated for. The bonds of all bonded elevators in which wheat shall be stored shall be subject to approval by the superintendent of grain and bread.

Subject to the provisions hereof, the Secretary of Agriculture shall make, subject to the approval of the President of the United States, and shall enforce suitable regulations for the exercise of the powers and the performance of the duties hereby authorized.

The bill reported by the committee is practically the same, except that it substitutes \$1.40 for \$1 and \$1.50 for \$1.10. With those prices, if passed, the bill would be better for the farmer, but the increase in prices I find has aroused some opposition to the bill which did not before exist, and the problem now is for the farmers to decide whether they would rather have a bill with \$1.50 in it which did not pass, than to have one with \$1.10 which did pass. Possibly neither of them might pass, but that is a condition to which I wish to direct their attention during the months that ensue before the next Congress.

Whenever the farmer goes to town with money in his pockets the merchants are busy selling goods. Whenever that occurs the wholesale houses and the factories prosper and thrive, and the railroads have something to transport and their employees are well paid. In other words, whenever the farmer does well all other business prospers in this country, and when the farmer goes to town with empty pockets nothing goes right and nobody makes money. The farmer is the basis of all the prosperity and wealth of the Nation, and there is no other task the lawmakers have that is more important than securing and assuring success to the farmer. We have made laws for years that would make the manufacturers able to carry on business and pay good wages, and of late we have provided similar legislation for the railroads. We have provided absolute, definite prosperity for the silver miners.

Every candid man will confess that no other industry is in worse condition than the farmer. During the war his crops, like the produce of other business, reached high prices. The first step toward a return to ordinary and normal conditions was the fall of the farmer's prices, but the material he purchases, the machinery he bought, all the things that he must buy have remained at about the old war prices. The farm crops are back to normal, and very lonesome there, because they came back alone and unattended. The purpose of this bill is to enable the farmer to maintain himself until the things he buys are back to normal, along with his crops. The purpose of the bill is to reasonably assure the wheat farmer the cost of production of wheat, so that he can afford to sow wheat and furnish foodstuffs. If the country should produce 800,000,000 bushels of wheat, and this bill should succeed in making the price \$1 a bushel instead of 80 cents, the farmers of this country would make \$160,000,000 in a year over and above their 80-cent price. This Government could well afford to establish this business and maintain it and lose from \$10,000,000 to \$20,000,000 if such a gain could be provided to the wheat people, because with their prosperity would come the prosperity of all others. Such an investment would merit and meet the support and applause of all the rest of the Nation.

If this bill becomes a law, the farmer will be practically certain to receive at least \$1 a bushel for his wheat, which means that wheat will always be above that price, practically, and that every year he may hope for some profit. It has been suggested often that the farmer should have a reduction in railroad rates. That immediately raises the inquiry whether the farmers must pay high rates for transportation in order to give high wages, or whether the wage earners on the railroads must reduce wages to make lower rates for the farmer, because of the fact that about 60 per cent of the money the railroads receive is paid for wages, so that 60 per cent of the money the

farmers pay the railroads goes to the wage earners. This adjustment, of course, is a difficult one, and nobody has been able to solve it satisfactorily, because all concerned have rights that must be considered and conceded. I have prepared this wheat bill in order to cover the securing of a reasonable price for wheat. I am not undertaking to work miracles, and if I can solve this problem I shall feel that I have accomplished some good for the people that need it and for the country at large.

There is still another feature of the railroad issue that should be carefully examined. The railroads have gradually killed off the rivers, and have not been able to take care of the business themselves, so that this country is simply compelled to look to the rivers again, and the shipment of wheat on barges to the ocean is going to be an absolute necessity to the farmer who hopes to get decent rates on transportation for his crops.

Mr. Speaker, the State of Kansas pays 10½ cents a bushel to send its wheat to Chicago. It costs 21 cents more a bushel to get that wheat to Liverpool. That is 31½ cents. We are shy just that much on every bushel of wheat that we ship to Liverpool. You can ship wheat from New Orleans to Liverpool for 8 cents. You can send it by barges and tugboats by river from St. Louis to New Orleans for 8 cents. That is 16 cents. If we could get the tugs and barges we could send our wheat to New Orleans for about 10 cents a bushel. Eight cents to Liverpool would make 18 cents. We would save the difference between 18 cents and 31½ cents, which is 13½ cents a bushel. In 1921 Kansas raised 128,000,000 bushels of wheat. At 13½ cents a bushel, that would be over seventeen and one-half million dollars. If you will give us a million and a half dollars a year to fix the Missouri River for a few years we will have a 400-mile 6-foot channel to St. Louis; then save \$17,500,000 a year for the farmers.

If we can get rid of this pretense of the railroad lawyers and lobbyists that to put the Missouri River on the map again would be a pork-barrel job we will soon have reasonable rates to the sea. For many years that cry was raised by railroad lobbyists through their attorneys and the big newspapers. It is time the farmer began to think of his own interests and prices and transportation charges instead of listening to such an outcry. Of the money appropriated this year for rivers and harbors, about half will go to New York City. The New York Harbor needs help less than does the Missouri River; and if all this money for some years should be spent in the interior routes of water transportation instead of on the seacoast, where the great millionaires ply their trades, we would have an adjustment of railroad rates that would be worth while. For the State of Kansas and the Missouri Valley, the most tremendous lesson at hand is the statement I have just made. Then, if we could put wheat at a dollar a bushel and ship it to Liverpool for 13½ cents less than we have been paying, the foundation industry of the whole American Union will be put permanently on its feet, which will redound to the business advantage of the whole country. I am not offering some plan to loan a lot of money to people already in debt, with which they can raise some other poor crops, perhaps; I am not offering any fictitious or fancy prices which nobody would want to pay or would have to pay; but I am suggesting the practical application of a practical, sensible, plain law that will maintain a reasonable price for wheat and a reasonable price for transportation half around the world. If we can secure those two advantages for the farmers of Kansas and the Missouri Valley, prosperity will ring its bells for many years to come on the Kansas prairies. Let us get down to brass tacks, gentlemen, and have something started that is practical. This can be done if we will all stand together for the interests of our Commonwealth and open up from Kansas City the path down the Missouri and the Mississippi to the sea.

The Government pays about \$1 an ounce for all the silver that is brought to it. The miners get good wages and the mine owners make good money. The Government makes about 25 per cent on its investment, and you, like everybody else, are in favor of it. There is no reason why the Government should not handle its relation to the wheat business so as to practically assure the farmer of cost price for his wheat.

Congress has carried out Mr. Wilson's contracts with the railroads and given them millions of dollars with which to pay their wage earners the wages the labor unions insist upon. Why should not the farmers get equally good treatment?

Congress authorized the railroads to charge enough so they could make 5½ per cent. Why should not the farmer be able, with Government assistance, to get cost price for his wheat?

The men who did business on the seas thought it well that they should be allowed to sail across the Isthmus of Panama, and this Government spent many millions to enable them to carry on their business in that way. They are mostly foreign-

ers. Is it possible that you think the Government ought to take care of those people and do nothing for the American wheat grower?

Every year this country spends millions to keep New York Harbor in condition for the people who do business there. Why should it not spend something to assist the farmers in carrying on their business? What is spent for all these people is a gift, but under this plan of mine the Government is not giving a nickel to any farmer nor even giving him a big price for anything.

The lobbyists for those big interests who make so many millions with Government help suggest that the transportation of grain is vested with a public interest and is for everybody, and therefore Congress should help them.

Why, for heaven's sake, is there anybody so dumb that he does not know that the producer of food is infinitely more important to the welfare of the people than is the transporter of it? If the farmer ever quit work, the rest of us would starve. There are a hundred reasons why the producers of wheat, the principal food crop, should be encouraged where there is one that all these people I have mentioned should be helped with Government money as a gift. A few generations ago private citizens carried all the world's mail. This year we voted \$594,000,000 to the Government to carry the mails. Of course, every man that voted for that bill is in favor of the Government engaging in that tremendous business.

The Government has already established banks and loan systems under which it endeavors to loan money to the farmer and enable him to get into debt to raise crops that do not pay very frequently. Is it possible that you do not see that the Republic is much more engaged in business with the farmer under its banking system than it would be under this plan of mine, which would simply provide a method by which, under the laws of supply and demand, he would be able to get about cost for his wheat, and probably without the Government being compelled to buy any wheat, just as the gold reserve protects the currency? It is said the worst feature against the agriculturist is the combination for profiteering, the lack of railroad accommodations, and the high rates he is obliged to meet. If my bill becomes a law, the Secretary will be able to break up every corner on wheat at any moment and will terminate that.

I earnestly deplore the disposition to join in sarcasm about the "dear farmer." The lobbyists for the big millionaire interests here get great amusement out of ridiculing those from the West who want the farmer to be considered. I think the people who engage in it ought to be ashamed of themselves. The very people who come here and worry Congress to death to get millions originated this.

I am glad to have the views anybody cares to present, so that I can understand how this bill appeals to different minds. Up to the present time it has had three hearings before the Agricultural Committee and two in Congress on the floor, and nobody has yet been able to suggest any change in it that ought to be made. Those who are in favor of subsidizing the ships and the railroads and the Panama Canal and the silver mines and other interests are, of course, opposed to anything that we may offer to help the farmer, but I do not know of anybody else that is opposed to the bill, except the men who want their Government to go into business to help them. Why should a Kansas farmer follow the lead of the lobbyists of the big interests here?

Under the bill to stabilize the price of wheat, \$30,000,000 is appropriated for the Secretary of Agriculture. He will go to the farmer's home town and buy wheat there of such grades and qualities as he desires at the local market price, not to exceed \$1.10 per bushel, except that if wheat gets below \$1, he may, if he sees fit, pay \$1 per bushel to stabilize the price of wheat at least at \$1 per bushel to the farmer. The wheat buyers at under \$1.10 will buy such wheat as the market desires and wishes. The Secretary will thus merely absorb the immediate surplus of each day, and whenever the wheat buyers determine that the Secretary has absorbed the surplus at \$1.10 or below, they will shoot the price up to \$1.11, and the Secretary will retire from the market with wheat bought at low prices. He will store his wheat in elevators on warehouse receipts, where it will never deteriorate, and will be held at a small cost, thus having assisted the farmer to get a price above \$1.10.

While he does not go into the wheat business like other traders, he can from time to time proceed to sell wheat and take a profit, but at not less than the prices at Minneapolis, Buffalo, and Kansas City, Kans., the great milling towns, and at New York and Chicago. If wheat, as would be natural, should

go up above \$1.11, the Secretary can always throw some wheat into the market, not to interfere with the market prices, and take a profit from time to time, so that the business would be self-sustaining, though he would never interfere with the orderly course of trade. If wheat could not be bought at \$1.85 in New York or Chicago, which would indicate a scarcity or a gambler's pyramid, he is directed to begin selling his reserve supply either at the market price, taking a profit, or at a price that would knock the blocks out from under the pyramided price and put a stop to the gambling, and would give bread to the city people at a proper price.

If the facts drawn from the gold reserve protection of the currency, with a reserve much smaller in amount than the currency, protects the currency, so that nobody wants the gold, so this system will maintain the price of wheat at \$1, when people know that the Government is prepared to pay \$1, the machinery of this plan would cease to be needed to any very great extent. The Government should, however, maintain a sufficient reserve to break up wheat gambling and its high prices and to protect the consumers' market. Thus by application of the ordinary rules of supply and demand and the orderly course of trade, the farmer will know that he can have \$1 a bushel when he sows.

When the Secretary of Agriculture invests his \$30,000,000, he will have something over 25,000,000 bushels of wheat. Under this bill he will be authorized on the security of that 25,000,000 bushels to receive Treasury certificates sufficient to buy the next 25,000,000. That money will be paid from the proceeds of the sale of the first 25,000,000 bushels, and so on indefinitely, and this money might easily run up to \$100,000,000, which is in effect the gold reserve of this system, because it notifies everybody that the Government can maintain its purchase of wheat at \$1 as far as anybody wants to go. This system finances itself after it is first started and would not need any additional funds from Congress at any time. When the Government has thus definitely notified the people that it will pay a price of \$1 for wheat, the farmer will know that he is going to get practically cost, at least, and the wheat crop will be stabilized forever. The gamblers' corner will be busted, as they can not corner wheat and shoot it up to extravagant prices with the Government reserve facing them—all bought below \$1.10. It would be impossible that there should be a scarcity of flour when the Government maintains a wheat reserve of 50,000,000 bushels, and at the other end the farmer would know that his wheat had a market value that assured him of at least getting his money back.

The plan represented in this bill is entirely new in every respect and has never been even suggested before by anybody as far as we can learn. If the bill becomes a law the Secretary of Agriculture is authorized to buy wheat at the farmer's home town and to pay \$1 a bushel whenever wheat is below that price, and to pay from \$1 to \$1.10 per bushel wherever and whenever that is the market price. No expensive force would be required, because one agent at a central place like Kansas City can buy wheat for hundreds of miles in any direction any morning by wire.

The bill authorizes the appropriation of \$30,000,000 for that purpose. A further fund is secured by the fact that whenever the department accumulates a considerable quantity of wheat the Secretary of the Treasury is authorized to advance to the Secretary of Agriculture Treasury certificates which can be used to buy more wheat and are secured by the storage on hand at the moment issued. As fast as that wheat on hand is disposed of it must be expended to discharge the Treasury certificate indebtedness. Thus a fund of almost unbounded limits is practically at hand for the continued purchase of wheat, without any further appropriation from the taxpayer, and a method is devised which discharges those debts almost as fast as they accumulate. It thus is evident that the ability of the department to buy wheat at \$1 a bushel indefinitely is absolutely certain, and whenever people have learned that the Secretary of Agriculture will always be ready to pay \$1 a bushel for wheat at a man's home town, nobody will sell wheat for less and nobody will endeavor to buy wheat for less. The probability is that the first season the Secretary should expend his \$30,000,000 and put the proposition right on its feet, and make it clear at once that it can be done and will be done. From that time on every farmer can always be assured of what is practically at least cost for his wheat.

There is no real chance that the Government can lose any money, because it will always have either the money or the wheat on hand and it buys at under \$1.10, and it would very infrequently happen that the Government could not hold the wheat at least long enough to get its money back, and it un-

doubtedly would be practically certain that year by year the Government would sell most of its wheat at a profit and that the transaction would be a paying one in any event.

The menace to the wheat producer of the surplus has been grossly exaggerated. Every year a certain amount of wheat is produced, consumed, and exported, and a certain amount is carried over. There will always be wheat produced, consumed, exported, and carried over. The wheat absorbed by the consumer and the exporter is wholly disposed of, so far as the plans of this bill are concerned. The consumer and exporter need that wheat and they will pay for it whatever they must. Washington will fix, in the final analysis, what they will be required to pay, and if they want it they will have to pay it, and that will be at least \$1 a bushel.

In the season of 1922, 78,000,000 bushels was carried over, and for many years it has varied from 43,000,000 in 1909-10, and 85,000,000 in 1910-11, and 17,000,000 in 1918-19, and 163,000,000 in 1916-17, and 136,000,000 in 1900-1901, and so on, to 78,000,000 in 1922-23. When the exporters and the consumers have taken what they must have, the carry over is the only surplus that remains with which the Secretary of Agriculture must contend, and the only one that, in the last analysis, it could possibly become necessary that he absorb. Of the carry over, most of it is carried over by people who want to carry it over and would not sell to the Government or anybody else, except at the price they wanted. In 1922-23 there were 28,000,000 bushels in the country in mills and elevators, leaving 50,000,000 bushels still remaining, of which 18,000,000 were the commercial visible supply and 32,000,000 were in the farmers' hands. As the farmer each year sows 75,000,000 bushels, a good share of it in the spring; it is evident that this surplus is largely imaginary, as shown by the course of the years culminating in 1922-23. As a matter of fact, in order to maintain any wheat reserve, which he must pay at less than \$1.11, the Secretary will have to handle his business with considerable care. Nobody ever burns or sinks any wheat and all wheat is consumed in some way, even the carry over every year, which is just as much a necessity of the market as is the wheat that is used for other purposes. It is not at all necessary that the Government should absorb very much wheat, even in the final analysis. The problem would really be whether the Secretary could get enough wheat to maintain a wheat reserve sufficient to meet the wheat corners and gamblers and the lack of wheat in the dead years.

The Government statistics show how much wheat has been exported in recent years, including wheat manufactured into flour in this country and then exported, as follows: In 1921, 386,000,000 bushels (200,000,000 of which was wheat not manufactured into flour); in 1920, 219,000,000 bushels (including 218,000,000 not manufactured); in 1919, 287,000,000 bushels (including 148,000,000 not manufactured). The statistics further show that in the following years, referring to the total of wheat and wheat manufactured into flour, the United States exported in 1918, 133,000,000 bushels; in 1917, 203,000,000; in 1916, 243,000,000; in 1915, 332,000,000; in 1914, 145,000,000.

From this you can see what wheat the rest of the world has bought from us during the years since Russia was exporting. The figures during the years of the war were somewhat influenced by the war, of course; but it is evident that, at least until Russia reappears as a competitor, from 150,000,000 to 300,000,000 bushels of wheat will be bought in this country by the rest of the world. It is obvious that the world will to that extent purchase wheat in this country at the price necessary to get it until Russia reappears. The wheat that the rest of the world must have from us is no part of the surplus, and it is something that the Government will not be compelled to absorb or purchase under this legislation proposed.

Referring to the years when Russia was a competitor with us in the world's wheat market, we find that we exported, including the manufactured wheat, in 1913, 142,000,000 bushels; in 1912, 79,000,000; in 1911, 69,000,000. The average wheat exported per annum in the years from 1906 to 1910, inclusive, was 121,000,000 bushels; 1901 to 1905, inclusive, 163,000,000; 1896 to 1900, inclusive, 179,000,000; 1891 to 1895, 166,000,000; 1881 to 1890, 126,000,000; 1871 to 1880, 86,000,000; and 1867 to 1870, 30,000,000.

In these latter years the home consumption of wheat in the United States has of course greatly and gradually increased, so that, relatively speaking, a smaller proportion of our wheat can be exported probably. On the other hand, the world is gradually using more wheat all the time and the foreign demand will be bigger on us until Russia comes in, and the demand of course will be greater then on the whole; so that it must be necessarily conceded that when Russia gets in, if it ever does, there will always be a very large demand from abroad on the United

States for a great amount of wheat, which it must necessarily have. Therefore, our exports will run from 150,000,000 bushels upward for a long time to come. All the wheat thus exported will go abroad, because they need it, and it is just as certain to be purchased as is the home consumption to be maintained as it has been. That is to say, the Secretary of Agriculture will never be asked to absorb that wheat any more than he will the wheat consumed at home.

There remains the carry over. Practically all of that is carried over by people who carry it over because they want to and would not sell to the Government anyway; so that the actual surplus at the end of each year under ordinary conditions, and not made by some artificial stimulant, could hardly run over 50,000,000 bushels a year in any event; and it is not at all certain the Government could buy 10,000,000 bushels if it wanted to, unless some artificial stimulant had been promised them a year ahead in the way of an artificial price. The menace of the surplus against this bill would be practically nominal.

This bill was before the committee and has been before the Congress for weeks. Nobody yet has found a flaw in it. It is true it is new and original and was never suggested before; but if there was any hole in it, they would have sunk our ship long since and put the bill into the discard; but the report from the Committee on Agriculture in its favor was unanimous, and I leave it with the country for the summer in the hope that by next December people may get its full value and it may become a law and redound to the assistance of the farmers and their communities and all the people.

#### WESTERN JUDICIAL DISTRICT OF SOUTH CAROLINA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 7851) to amend an act entitled "An act to amend an act entitled 'An act to provide for the appointment of a district judge, district attorney, and marshal for the western district of South Carolina, and for other purposes,'" approved September 1, 1916, so as to provide for the terms of the district court to be held at Spartanburg, S. C.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, what advantage will be gained to the public by establishing a session of the court at Spartanburg?

Mr. McSWAIN. Mr. Speaker, Spartanburg is the most important railroad center in the entire western judicial district of South Carolina. It is a long story and goes back into considerable political history as to why there has not been a term of Federal court at that place. Seven important railroad lines radiate from that point. It has ample hotel facilities, and the committee finds and the Department of Justice reports that it will be in the interest of economy to this Government, because it is in the center of population. It saves mileage and per diem for jurors and witnesses. The splendid hotel facilities will be an accommodation to the court officials, to the judge and the clerk and all other officials, and it is in the interest of justice and economy that this city should at last have a term of the Federal court.

Mr. STAFFORD. As I understand, South Carolina has two districts?

Mr. McSWAIN. Two—the eastern and western.

Mr. STAFFORD. The judge is not very much burdened with work?

Mr. McSWAIN. He is very much burdened with work, indeed, and this will save time.

Mr. STAFFORD. In view of the fact the Attorney General has pointed out the importance of Spartanburg, I will not object, but I question very much the real necessity of it.

Mr. McSWAIN. I am glad the gentleman will not object.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That section 5 of an act entitled "An act to amend an act entitled 'An act to provide for the appointment of a district judge, district attorney, and marshal for the western district of South Carolina, and for other purposes,'" approved September 1, 1916, be, and the same is hereby, amended so as to read as follows:

"Sec. 5. That the terms of the district court for the eastern district shall be held at Charleston on the first Tuesday in June and December; at Columbia, on the third Tuesday in January and first Tuesday in November; at Florence, first Tuesday in March; and at Aiken, on the first Tuesday in April and October.

"Terms of the district court of the western district shall be held at Greenville on the first Tuesday in April and the first Tuesday in October; at Rock Hill, the second Tuesday in March and September; at Greenwood, the first Tuesday in February and November; at Anderson, the fourth Tuesday in May and November; and at Spartanburg, on the third Tuesday in February and second Tuesday in December.

"The office of the clerks of the district court for the western district shall be at Greenville, and the office of the clerk of the district court for the eastern district shall be at Charleston."

The committee amendment was read, as follows:

Page 1, line 7, after the word "amended," insert after the words "fourth Tuesday in May and November" the words "and at Spartanburg, on the third Tuesday in February and second Tuesday in December."

The committee amendment was agreed to.

The bill as amended was ordered to be engrossed and read the third time, was read the third time, and passed.

#### REINSTATEMENT OF WARRANT OFFICERS, ARMY MINE PLANTER SERVICE.

The next business on the Unanimous Consent Calendar was the bill (H. R. 13772) to authorize the Secretary of War to reappoint and immediately discharge or retire certain warrant officers of the Army mine planter service.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, the committee has not gone to the extent the department recommended that they should go in reinstating these warrant officers connected with the Army mine planter service. This is the aftermath of some of the economies brought about last year by the Subcommittee on War Department Appropriations, when we sought to cut down the commissioned officer personnel and the noncommissioned officer personnel so far as warrant officers are concerned. As far as I can ascertain from the reading of the report and the letter of the Secretary of War, it seeks to reinstate some 20 or more who had about two years' service in the Army, men largely engaged in civilian capacity as engineers or mates and the like. Now, what claim have they on the Government after two years' service to be placed on a permanent roll and be ultimately pensioned on three-quarters pay?

Mr. BLAND of Virginia. If the gentleman will yield, a majority of these men who are sought to be reinstated came into the Army mine planter service from the military and naval service, where they had an accruing right of retirement. They came into the Army mine planter service with the distinct provision in the law that they should be entitled to a right of retirement. When the appropriation bill went into effect 32 men were reduced or cut off from the Army, and those men who had an accruing right of retirement were absolutely kicked out without any regard to their accruing right of retirement. Some of those men had accruing service that would have entitled them to retirement in a few years.

Mr. STAFFORD. How many would have been entitled to retired pay?

Mr. BLAND of Virginia. I think there are about six or seven, possibly, who would have been entitled to retirement in a few years. Others had longer years to serve. Now, the Secretary of War recommends those men be restored to service. The object of this bill is not to retire them now. The committee amended the bill so as to put them in service—

Mr. McKENZIE. On their application?

Mr. BLAND of Virginia. That is true, only those who make application to be reinstated.

Mr. ANTHONY. If the gentleman will yield. Has the gentleman found there is any real military need for these men after restored to duty? They would be surplus men and they would have no use for them.

Mr. BLAND of Virginia. The Secretary of War, in his letter to the committee, says that if reinstated these warrant officers could be advantageously used on vessels of the Quartermaster Corps in place of civilian masters, mates, and engineers. He further says:

It is believed that these discharged warrant officers, Army Mine Planter Service, have real ground for feeling that their summary discharge was an unnecessary hardship and in violation of the implied terms of their appointment. Their reinstatement would be an act of justice, and they have more claims to permanence of employment than civilian masters, mates, and engineers whom they would replace on vessels of the Quartermaster Corps.

The bill as amended by the committee and as it came before the committee on that amendment is in the language of the amendment suggested by the Secretary of War.

Mr. ANTHONY. Mr. Speaker, reserving the right to object, it is my impression that there were about 80 of these warrant officers in the mine-planter service at the time of the reduction. Congress reduced the number to 40 to be employed in this service. It was stated to the committee that in carrying out the reduction the men with the least number of years of service would be the first discharged and the men with the longest periods of service would remain. Now, I can not see where these warrant officers who were discharged—mostly men commissioned during the war, most of them with little or no military service before the war and with but two or three years' service during or since the war—have any right whatever to

claim retirement at three-quarters pay of their grade; and that is what it will mean eventually if these men are restored. The effect of restoring them to duty would simply be to burden the Army with an additional number of unnecessary warrant officers and burden the Public Treasury with their pay.

Mr. FIELDS. Mr. Speaker, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. FIELDS. I happen to know that one of these men had 21 years' service.

Mr. ANTHONY. Then the War Department should not have discharged him. They should have retained him in the service among the 40 that were retained. I think the remedy is to bring in specific legislation to take care of any individual with especially long or meritorious service.

Mr. FIELDS. Some of them had 10 years' service.

Mr. ANTHONY. Yes. But certainly those of short service should not be reinstated.

Mr. McKENZIE. Mr. Chairman, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. McKENZIE. Is it not true that in the amendment to the appropriation bill submitted by the subcommittee of the Committee on Appropriations, providing for the reduction of the commissioned personnel of the Army, they provided that in every other branch of the service except the Mine Planter Service an officer with 10 years' service would be discharged with one year's pay; and if he had more than 10 years' service, he would be retired with 3 per cent additional for the number of years he had been in the service? We simply provide in this bill that on their own application they may be reinstated and work for the Government in a position other than in the Mine Planter Service, where we now hire civilians.

Mr. ANTHONY. The gentleman knows that most of these men were civil employees, assistant engineers, or mates on harbor boats when they were invested with the dignity of warrant officers during the war. If the gentleman wants to reinstate these men and put them on the retired list, he ought also to put every civil employee similarly situated on the retired list.

Mr. McKENZIE. Will this cost the Government any money?

Mr. ANTHONY. It depends on whether the Government needs their services or not. It is not shown that the Government needs their services.

Mr. BLAND of Virginia. I have a statement furnished me from the War Department to the effect that 22 of the 32 men involved in this bill came from the Army—that is, they had prior service in the Army before they went into the Mine Planter Service—and 5 of them were from the Navy. So that 27 of these men had prior service, military or naval service.

The bill creating the Army Mine Planter Service provided that they should have retirement, and in the bill that was passed by the House, the appropriation bill which provided for their elimination, every other officer who was eliminated was taken care of except the warrant officers in the Army Mine Planter Service.

Mr. ANTHONY. The most we did for the commissioned officer with 10 years' service when he was displaced was to give him a year's pay. Does the gentleman think these men should be given more than a year's pay?

Mr. BLAND of Virginia. Some of them should.

Mr. ANTHONY. I think the Government has the absolute right to discharge surplus officials whenever they are unnecessary.

Mr. BLAND of Virginia. When it invites them into the service on the understanding that they shall be retired? Does not the Government hold out that offer to these officers?

Mr. ANTHONY. The law provides that they can be retired only by reason of disability or after 30 years' service.

Mr. BLAND of Virginia. The act provides that they shall have retirement.

Mr. TILSON. Mr. Speaker, will the gentleman yield?

Mr. ANTHONY. Yes.

Mr. TILSON. How did these men get into the Mine Planter Service from the Navy?

Mr. BLAND of Virginia. They came in when the Mine Planter Service was created. The military forces had great trouble in getting warrant officers, and this inducement was held out to them that they would get retirement pay. The testimony taken before the committee was to the effect that these men would not have come in without the promise of retirement. They would have remained in the military or naval branches of the service, where they would have their accruing right of retirement.

Mr. ANTHONY. I object, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Kansas objects. The Clerk will report the next bill.

## BRIDGE ACROSS THE RED RIVER.

The next business on the Calendar for Unanimous Consent was the bill (S. 4235) granting consent of Congress to the Charlie Bridge Co. for construction of a bridge across Red River between Clay County, Tex., and Cotton County, Okla.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.,* That the consent of Congress is hereby granted to the Charlie Bridge Co. to construct, maintain, and operate a bridge and approaches thereto across the Red River at a point suitable to the interests of navigation between Clay County, Tex., and Cotton County, Okla., in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Sec. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER pro tempore. The question is on the third reading of the Senate bill.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

The SPEAKER pro tempore. The Clerk will report the next bill.

## GRANT ROAD, IN THE DISTRICT OF COLUMBIA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 13237) authorizing the closing of certain portions of Grant Road, in the District of Columbia, and for other purposes.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. CRAMTON. Reserving the right to object, Mr. Speaker, section 2 of this bill is disapproved by the authorities of the District. It has several very undesirable features. I shall be obliged to object unless section 2 is eliminated.

The SPEAKER pro tempore. It would be in order to strike out section 2 in the consideration of the bill.

Mr. CRAMTON. Will that be agreeable to the gentleman in charge of the bill, and will it stay out if it is taken out here? If not, I will object.

The SPEAKER pro tempore. The gentleman from Michigan objects. The Clerk will report the next bill.

## TERMS OF COURT AT PAULS VALLEY, OKLA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 6376) to amend the act establishing the eastern judicial district of Oklahoma.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the consideration of this bill?

Mr. CRAMTON. Reserving the right to object, Mr. Speaker, that bill is one in which the gentleman from Oklahoma [Mr. CARTER] is interested. This afternoon occurs the wedding of the daughter of the gentleman from Oklahoma, and naturally he is not able to be present here this afternoon; and because of his absence I object.

Mr. SWANK. Will the gentleman reserve his objection?

Mr. CRAMTON. I have no objection to reserving it.

Mr. SWANK. The gentleman from Oklahoma [Mr. CARTER] spoke to me a few minutes ago about this. He has three Federal court towns in his district. This provides for a court at Pauls Valley, Okla. They have a \$150,000 courthouse there that they will furnish the Government for nothing. I would be glad if the gentleman would not object.

Mr. CRAMTON. The gentleman realizes that I am not familiar with the conditions. The gentleman from Oklahoma [Mr. CARTER] is interested, and I have a great deal of confidence that he would have good reasons for his objection, and I am obliged to object.

Mr. SWANK. Has the gentleman any objection to the bill retaining its place on the calendar?

Mr. CRAMTON. I have not.

Mr. McSWAIN. Mr. Speaker, I ask unanimous consent that the bill may retain its place on the calendar.

The CHAIRMAN. The gentleman from Oklahoma asks unanimous consent that the bill may retain its place on the calendar. Is there objection?

There was no objection.

## TRANSPORTING COMMITTEE OF FOURTH OHIO INFANTRY TO PORTO RICO.

The next business on the Calendar for Unanimous Consent was the joint resolution (H. J. Res. 442) to authorize the transportation to Porto Rico of a committee representing the Fourth Ohio Infantry, war with Spain.

The Clerk read the title to the resolution.

The SPEAKER pro tempore. Is there objection to the present consideration of the resolution?

Mr. STAFFORD. Reserving the right to object, I wish to inquire whether there is any instance where the Government has allowed its utilities to be used gratuitously for transportation purposes as proposed in the resolution submitted for objection or consideration.

Mr. McKENZIE. I wish to say to the gentleman that I can not answer that question. I can simply give him our reason for reporting this resolution. It involves the officers of the Fourth Ohio Infantry who took part in the Spanish-American War. They want to go to Porto Rico to put a marker there. There may not be any precedent for it, but it seems to me it is a matter that we should not quibble about.

Mr. CRAMTON. Will the gentleman yield?

Mr. McKENZIE. Yes.

Mr. CRAMTON. It is my recollection that at the time of the last Olympian games at Antwerp such a provision was put into the law, and contestants went over to the number of one or two hundred on a Government transport under a similar provision.

Mr. TOWNER. Will the gentleman yield?

Mr. STAFFORD. I will gladly yield to the future distinguished Governor of Porto Rico, whom we are all, I know, very happy to have been honored with such a distinguished appointment. [Applause.] If I may be allowed, we wish him Godspeed in his work in his new honorable position.

Mr. TOWNER. Mr. Speaker, I only want to make this statement. It would be difficult to find a precedent for it. The Fourth Ohio Infantry captured the town of Guyama, in Porto Rico, during the Spanish-American War. This is the twenty-fifth anniversary of that event. The survivors of this regiment desire to send a small party to Porto Rico and also allow them to go on a transport without any additional expense to the Government. They desire that for two reasons: First, that it would give their visit a significance that they could not acquire by reason of going on some other vessel at their own expense. It will not cost the Government anything, and it will be an act of courtesy, especially to the regiment, and especially also to the people of Porto Rico, who will gladly receive them and join with them in the memorial exercises.

Mr. STAFFORD. Mr. Speaker, as a courtesy to the future Governor of Porto Rico, I withdraw my reservation of an objection.

Mr. MONDELL. Mr. Speaker, there is an additional reason why the resolution should be passed. By the time his visit is made our colleague, our friend from Iowa, will be in Porto Rico as the governor of that beautiful island, and we desire that an opportunity shall be offered these gentlemen to visit Porto Rico at the time he is there and see how splendidly he is maintaining the prestige of the Nation and adding to the glory and prosperity of Porto Rico. [Applause.]

Mr. DAVILA. Mr. Speaker, I am proud of my ancestry and my Spanish blood, but, without any reflection on the Spanish people, whom I love and admire, I want to say that the day the American flag was raised in Porto Rico we began to live a new and prosperous life. [Applause.] Now, it is natural that we want to have an opportunity to extend our courtesies to these soldiers who fought for America and to pay our tribute to those who died during the service in the Spanish-American War. The people of Porto Rico have instructed me to invite the soldiers to go to the island, and we are going to do something for them. They will be welcome as our guests. [Applause.] I hope this resolution will pass.

Mr. GARRETT of Tennessee. Mr. Speaker, I ask unanimous consent to proceed for three minutes.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. GARRETT of Tennessee. Mr. Speaker, it has been my privilege for many years to serve on the Committee on Insular Affairs with the distinguished gentleman from Iowa, Judge TOWNER. Of course, I do not know just why the judge is willing to retire from the House of Representatives to accept the burdens and responsibilities of the position of Governor of Porto Rico, but since he is willing so to do, I think the people of Porto Rico are to be congratulated; and certainly those of us who have had the opportunity of intimate service with him upon the committee who are aware of the knowledge he possesses of all of the details of insular problems are also aware of the fact that he will meet those responsibilities and discharge those duties fairly, honestly, with credit to himself, with credit to his country, and we hope with entire satisfaction to the people whose governor general he is to be. [Applause.] My own opinion is that the President made a very

wise choice, and as a member of the minority on the Committee on Insular Affairs I wish to express to the honorable gentleman from Iowa congratulations, good wishes, hopes for his success in the responsibilities that he has to discharge, and to him and to his good wife all good things now and forever.

Mr. DAVILA. Mr. Speaker, if I may be permitted just a moment, I desire to read the following cablegram which I have received from the president of the Porto Rican Senate:

SAN JUAN, P. R., February 28, 1925.

Judge CORDOVA DAVILA,  
Resident Commissioner from Porto Rico,  
Washington, D. C.:

People of Porto Rico received with great enthusiasm the appointment of TOWNNER. Please so inform President Harding and Judge TOWNNER himself.

BARCELÓ.

The SPEAKER pro tempore. The Clerk will report the joint resolution.

The Clerk read the House joint resolution, as follows:

*Resolved, etc., That if accommodations on public transports are available, the Secretary of War is authorized to provide, without expense to the United States, transportation from the United States to Porto Rico of a committee composed of members of the Fourth Ohio Infantry, war with Spain, for the purpose of placing a memorial tablet in the city of Guyama commemorating the twenty-fifth anniversary of the capture of that place and in honor of the American soldiers who died during their service in Porto Rico.*

The SPEAKER pro tempore. The question is on the engrossment and third reading of the House joint resolution.

The House joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

#### PROCEEDINGS IN CONTESTED ELECTIONS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 14224) to determine proceedings in contested elections of Members of the House of Representatives.

The SPEAKER pro tempore (Mr. HICKS). Is there objection to the present consideration of the bill?

Mr. GARRETT of Tennessee. Mr. Speaker, reserving the right to object, this is a bill of very great importance and very far-reaching in its aspects.

Mr. DALLINGER. Mr. Speaker, will the gentleman reserve his objection?

Mr. GARRETT of Tennessee. I reserve the objection.

Mr. BLANTON. Mr. Speaker, I rise to a constitutional question, and make the point of order that we have no quorum present.

The SPEAKER pro tempore. The gentleman from Texas makes the point of order that there is no quorum present. The Chair will count. [After counting.] Two hundred and sixteen Members present, a quorum.

Mr. DALLINGER. Mr. Speaker, this bill has the unanimous report of the Committee on Elections No. 1, and it is the result of eight years' experience with contested-election cases in the House of Representatives. For a long time there has been a great deal of criticism throughout the country in regard to the delay in the settlement of these election contests, and still more criticism of the fact that when the contest is decided in favor of the contestant, in some cases two persons from the same district draw almost two years' salary, together with mileage, stationery allowance, and other perquisites that go with the office. Under the present law, if both the contestant and the contestee take all of the time that the statute allows, and the Committee on Elections to which the case is referred gives it careful consideration, it is a year and a half after the election before the case can be called up upon the floor of the House. Moreover, it frequently happens that where a committee has several cases referred to it, without any dilatoriness upon the part of the committee, it is almost two years before the case can be decided in the House.

Mr. McARTHUR. Mr. Speaker, will the gentleman yield?

Mr. DALLINGER. Yes.

Mr. McARTHUR. Does this bill propose a quicker report?

Mr. DALLINGER. Mr. Speaker, this bill proposes that these cases shall be tried in the first instance in the Federal courts in a way that will greatly expedite their consideration. I may say in passing that in 1868, over half a century ago, the British Parliament passed an act providing for the trying of all contested-election cases in the courts, and under the English statute the House of Commons is not even given the right of review. The court simply certifies to the Speaker of the House the finding of the court. We can not, of course, do that in this country, because our written Constitution makes each House "the judge of the elections, returns, and qualifications of its own Members," but there is nothing whatever to prevent Congress providing by statute that in the first instance these cases shall be tried out in the Federal courts, where they will be

heard and decided expeditiously and strictly upon their merits without regard to personal or partisan considerations. If this bill is enacted, the finding of the court, together with an abstract of the testimony in narrative form, will be here in the hands of the Clerk of the House in the case of every contest when the new Congress convenes. The cases can then be referred to one of the Committees on Elections, and we can rest assured that in nine cases out of ten the committees will speedily report in accord with the finding that the Federal court has made.

Mr. STAFFORD. Mr. Speaker, there is no question but that this bill has in it much food for thought. Everyone must realize that the bill would not have any opportunity of consideration in the other branch of the Congress at the present session. The gentleman is fortunately coming back in the next Congress and he will have many days then when he can bring this subject up. I object.

#### RELIEF OF CERTAIN NAVAL RESERVE OFFICERS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 10268) to provide for the relief of certain officers of the Naval Reserve Force, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, I reserve the right to object.

Mr. McARTHUR. Mr. Speaker, the purpose of this legislation is for the relief of certain officers of the reserve force who have been disenrolled and to those who were released from active duty, but who did not begin travel to their homes within the period of four days after their release. At the close of the war, when these reserve officers, or some of them, were ordered home they were disenrolled and then told to proceed to their homes. The comptroller has decided in a decision rendered on October 7, 1919, that those officers were not entitled to mileage because they had been disenrolled; that that put them out of the service, and that it was the same as ordering civilians to proceed to their homes. It was held that there was no authority for such orders, and that, therefore, they were not entitled to mileage. In some cases the officers were actually paid the mileage, but in some cases they were never paid. That is why the decision came to be made by the comptroller, because when he found that they were being paid this mileage he decided against their getting mileage, and the pay officers who had paid the mileage, of course, had their accounts held up. Then the department issued orders to reserve officers detaching them from active duty and ordering them to their homes at their option.

It seems to me this bill does nothing more than correct a very grave injustice that has been done to a lot of excellent men who wore our uniform during the World War, men of the Naval Reserve Force. They have been denied their pay on account of a ruling of the comptroller, and if justice is going to be done these men and also men in the Paymaster Corps of the Navy who have technically made erroneous payment to these officers because they did not proceed immediately to their homes—

Mr. STAFFORD. If the gentleman will yield. Many of these officers of the Naval Reserve Corps took leave of absence and went on vacation for six months before they attempted to return to their homes. That practice is not indulged in in the Army of allowing the men any such right under those circumstances. Here we have a law which gives members of the Naval Reserve Force mileage if they will begin their travel within a time limit under naval regulations. Of course, there are any number of men upon their discharge from the service who would like to have a holiday of a few months and have Uncle Sam come and pay for their transportation home after the vacation. We find the law is this:

Since under the act of August 29, 1916 (39 Stat. 588), the right of officers of the Naval Reserve Force to the pay and allowances of officers of the regular Navy is expressly dependent upon a status of active duty in the Navy, no right to mileage accrues separate and apart from such active-duty status, and officers of the Naval Reserve Force detached from active duty and ordered to their homes, and who in proceeding home delay beyond the period authorized by naval regulations, are not entitled to mileage in subsequently performing the travel, their active-duty status having been terminated as of the date of detachment. (Decision of Comptroller of the Treasury dated February 9, 1920, 26 Comp. Dec. 639.)

Mr. BLANTON. Mr. Speaker, I demand the regular order.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. I object.

Mr. McARTHUR. Mr. Speaker, I ask unanimous consent to revise and extend my remarks on this bill.

The SPEAKER pro tempore. Is there objection? [After a pause.] The Chair hears none.

# AUTHORIZING THE STATE OF CALIFORNIA TO BRING SUIT AGAINST THE UNITED STATES.

The next business on the Calendar for Unanimous Consent was the bill (S. 3892) authorizing the State of California to bring suit against the United States to determine title to certain lands in Siskiyou County, Calif.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, this report is not very illuminating and does not differ from other reports which the Committee on the Judiciary make. I can understand why perhaps in the closing days of the Congress the clerk to the committee had only time to write a report of only five lines. That would be sufficient warrant to object, but in view of the fact that the gentleman from California, my dear friend, is interested in the bill, I reserve the right to object.

Mr. RAKER. Mr. Speaker, the State of California was granted swamp lands under the swamp land act of Congress. The State of California ceded this land to the Government on February 3, 1905 (California Statutes, 1905, p. 4), for reclamation purposes, and the Federal Government accepted it on February 9, 1905 (33 Stat. 714), for reclamation purposes. The land had been drained. Congress passed an act directing the land to be surveyed and to be opened for homestead settlement for soldiers of the late war. That is the status of it. Now the State of California comes in, by an act of the legislature last year, directing the attorney general to commence action. The State of California claims the land; the Federal Government claims the land. I have taken up the matter with the Department of the Interior and with the Reclamation Service, and they tell me this is the only fair way of disposing of it, and let the court adjudicate the legal questions involved. The sooner it is done the better for all concerned.

Mr. STAFFORD. Will the gentleman permit? I remember some years back, before one of those regular interregnums occurred in my service in this House, that the gentleman was endeavoring to get through the House a bill granting some persons preferred rights to entry; and, if I am not mistaken, it was on this land.

Mr. RAKER. Yes, we did; and the World War came on and that was the first time when the land was authorized to be opened to ex-service men. It gave them the preference right of entry.

Mr. VOLSTEAD. Mr. Speaker, the statement that has been made does not cover the situation as it has been explained to us.

Mr. STAFFORD. I would be very glad to have the gentleman from Minnesota give the explanation made to him.

Mr. VOLSTEAD. Here is the situation: The Legislature of California undertook to grant to the United States a certain right in swamp land granted to the State of California. Now, in the grant there was a provision that the land uncovered by certain drainage proceedings should go to the United States Government. The State of California contends that the land that was granted was inside the meander line of the lake that was to be drained, but the United States Government claims it did not only cover the land in the basin of the lake but also land that was drained by reason of this reclamation. Here is the situation: The Government has drained and permitted entries upon this land that adjoins the margin of the lake. As a consequence there is a dispute between the United States Government and the State of California, and it is very important, it seems to me, to allow that matter to be determined in one suit. Under the law, of course, they can allow entries to go to patent. Then each entryman would have to face a suit to set aside that patent. It is not fair to allow people to go on these lands on the assumption that the Government can protect them, because it may turn out, as the courts of California have held, that the land does belong to California. It ought all to be determined in one suit.

Mr. STAFFORD. The bill which the gentleman from California was so much interested in during the war Congress I was opposed to and other Members were. I believe it did not have merit. But I concede that the rights of California and of the Federal Government should be determined, and I withdraw my reservation of an objection.

The SPEAKER pro tempore. The reservation of an objection is withdrawn. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That consent is hereby given that a suit or suits may be instituted by or in behalf of the State of California in the Supreme Court of the United States to determine the right, title, and interest of such State to certain lands in Siskiyou County, Calif., alleged to have been ceded by such State to the United States by act

of the Legislature of the State of California entitled "An act authorizing the United States Government to lower the water levels of any or all of the following lakes: Lower or Little Klamath Lake, Tule or Rhett Lake, Goose Lake, and Clear Lake, situated in Siskiyou and Modoc Counties, and to use any part or all of the beds of said lakes for the storage of water in connection with the irrigation and reclamation operations conducted by the Reclamation Service of the United States; also ceding to the United States all the right, title, interest, or claim of the State of California to any lands uncovered by the lowering of the water levels of any or all of said lakes not already disposed of by the State," approved February 8, 1905, and in any such suit the right, title, and interest of such State and of the United States may be fully tested and determined if the Secretary of the Interior is made a party to such suit.

Upon the request of such Secretary the Attorney General of the United States is authorized and directed to defend the right, title, and interest of the United States to such land or any part thereof.

The SPEAKER pro tempore. The question is on the third reading of the Senate bill.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

## FARM CREDITS BILL.

Mr. McFADDEN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill S. 4280, the farmers' credit bill, disagree to the Senate amendment and agree to the conference asked for by the Senate.

The SPEAKER pro tempore. The gentleman from Pennsylvania moves to take from the Speaker's table the bill S. 4280, disagree to the Senate amendment, and agree to the conference asked for by the Senate. Is there objection?

There was no objection; and the Speaker pro tempore announced as the conferees on the part of the House Mr. McFADDEN, Mr. DALE, Mr. A. P. NELSON, Mr. WINGO, and Mr. STEAGALL.

## EXTENSION OF REMARKS.

Mr. FOSTER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the bill H. R. 12123.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio to extend his remarks in the manner indicated?

There was no objection.

## UNITED STATES INDUSTRIAL REFORMATORY.

Mr. FOSTER. Mr. Speaker, this bill (H. R. 12123) was prepared under the supervision of the Superintendent of Prisons of the United States. It was approved by the Department of Justice. It has the unanimous indorsement of the American Prison Association. Each approves it both as to the principle of the reformatory and its location at Camp Grant. President Harding, in a letter to the chairman of the Judiciary Committee, a copy of which is attached to the report, approves the bill both as to its principle and its location, and calls attention to the fact that the three Federal prisons are already overpopulated by more than 600 and if relief is to be had the project must of necessity be authorized by the present Congress.

The Judiciary Committee held exhaustive hearings during November and December. If the entire membership of the House were to read the hearings before the Judiciary Committee, it is my judgment that there would not be 10 votes against either the creation of the reformatory or its location at Camp Grant.

Among those who testified in behalf of the bill were Assistant Attorney General Holland, Assistant Attorney General Crim, who has charge of the Criminal Division of the Department of Justice, Mr. H. H. Votaw, Superintendent of Prisons, Assistant Attorney General Mabel W. Willebrandt, and Mr. F. F. Duehay, trustee, National Training School for Boys, all of whom heartily approve the bill, both as to its provisions and as to the location of the reformatory. No one opposed it but some citizens of Rockford, Ill., and they because of its location near them.

In a memorandum filed in the Department of Justice by Superintendent of Prisons Votaw appears this statement:

The records of the United States courts show that the criminal business of the United States in the last 10 years has increased 800 per cent. Due to new criminal laws which have been passed during the last three or four sessions of Congress, including the antinarcotic act, the espionage act, the auto theft act, the income tax act, and the national prohibition act, at least 60 per cent of the increase has come within the last three or four years.

Assistant Attorney General Willebrandt testified that the records show that there are more than 400,000 men going out from our penitentiaries, State and Federal, annually. Practically all of the States have provided reformatories similar to the one proposed by this bill for Federal prisoners. Assistant Attorney General Crim, in charge of the Criminal Division of the Department of Justice, in testifying before the committee, said:

The greatly enlarged jurisdiction of the Federal criminal department during the past 10 years, caused by the enactment of a number of statutes which create new Federal offenses, has given us a very much greater number of prisoners than anyone dreamed of 20 years ago.

When we first began to send Federal prisoners to Atlanta, it was thought that the Atlanta prison would be adequate for a great number of years—a generation. The prison at Atlanta is now over capacity. The same is true of Leavenworth and McNeil Island.

The new statutes under which these prisoners are being sent up are giving us a very different type of prisoner from the old Federal prisoner of 20 years ago. He was a man close to middle age. He was a post-office clerk, a counterfeiter, a pretty hard-boiled individual, as prisoners went, if I may use that expression. Our average Federal prisoner to-day is of a different type. He is a much younger man; he is in his twenties, and invariably he is sent there under a statute that does not involve moral turpitude.

Moreover, we have still another type of prisoner, and that is the prisoner who is an addict. About 600 of the present occupants of the prison at Atlanta—and the percentage holds, I believe, true in the other prisons—are addicts. We have no means at Atlanta of segregating those men, giving them the care and attention that they should have.

Then, too, we have a percentage of tubercular prisoners. When I visited the prison at Atlanta about a year ago I found that we had them in the yard of the prison, in tents, but it was utterly impossible to give those men, under the then existing circumstances and the circumstances that exist to-day, the attention that they should have and the segregation that they ought to have.

With this congestion in our prisons, with ever increasing jurisdiction, it is high time for us to take up, step by step, some scheme of handling these men; and the step before you to-day is a proposed law providing for an industrial prison to take care of the prisoners between the ages of 17 and 30, prisoners who are first offenders, and who, in the judgment of the prison officials, can be saved and released as useful citizens with some means of making a livelihood. There are a great number, a great percentage, as our parole reports show, of young men who are convicted and sent to these prisons who, on getting out or being paroled, make good; and it is to assist these individuals in a subjective way that this theory of an industrial prison is adopted, and as an example to other prisoners as well.

The conditions, if allowed to continue as they are, in a year or two will be absolutely immoral. You can not crowd men together as we have to do without having a very serious situation not only with respect to life but to morals as well.

Superintendent of Prisons Votaw states that this bill is modeled along the lines of the best thought of practical penologists and will effect great improvement in the penal laws of the United States. He further states that the prison laws with regard to the treatment of United States prisoners are inadequate and far behind the laws of the more advanced States. Prior to the occupancy of the Atlanta and Leavenworth prisons the United States prisoners were confined in the penal institutions of the various States and were subjected to the same treatment and disciplined as State prisoners in the same institution. There were, therefore, as many as 25 different measures of treatment for the United States prisoner. When the Federal penitentiaries were constructed no consideration was given of a reformatory nature. The result is that while the United States has penitentiaries modern as to physical comforts, measures for the training and reformation are entirely inadequate. Neither are any drastic or reactionary measures contemplated. On the contrary, this bill is in harmony with the prevailing sentiment of enlightened, practical prison administrators throughout the country. It is in accord with legislation already on the statute books of our advanced States. He stated to the Judiciary Committee:

It is conceived in the spirit of the only principle of penology that is worthy of consideration—that is, to try to find out the reasons for a man's wrongdoing and endeavor to make it not worth his while to repeat it.

In an elaborate and exhaustive memorandum submitted by Mr. Votaw he presents the arguments in support of this bill:

First, (a) to meet the needs of our rapidly increasing prison population and (b) obviate the necessity of recourse to State institutions to care for the increase. Second, the desirability of the institution being a reformatory from (a) the humanitarian standpoint and (b) the practical standpoint. And third, the most logical location for its establishment with regard to (a) a center of population, (b) railway facilities, (c) farming operations, (d) economical considerations, and (e) early occupation. I wish every Member of the House would read this memorandum submitted by the superintendent of prisons.

A commission appointed by the President in 1909 to investigate penal matters reported:

We do not believe in taking any attitude toward the violators of law that will lead them to look upon their offenses as trivial, to look upon themselves as victims of oppression or upon governments as their debtors. But we do believe in taking a passionless, patient, and impartial attitude toward them, making it as easy as possible to do right, as difficult as possible to do wrong, and keeping always before their eyes the hope of redeeming themselves, in convincing them in every practicable way that they are still the makers of their own destiny. We believe that those who may be reasonably supposed to be reformable should be treated and employed with that end in view. We believe that for certain criminals there should be labor, long and severe. We believe that no system of dealing with the criminal classes should ever at any point lose sight of the fact that the criminal is a man. He should never be needlessly degraded, insulted, or abused. We believe that a vital and momentous point of time is when the prisoner is released and turned back upon the world, and that the law should employ all possible agencies to guard and assist him in making a new start.

It is upon this principle that the Camp Grant reformatory project is planned.

The War Department has set aside 500 acres from the Camp Grant site, near Rockford, Ill., to be used for the reformatory. Superintendent of Prisons Votaw and others made a personal and careful inspection of all camps that were available for this reformatory, and all agreed upon Camp Grant, and their reasons are set forth fully in the hearings. The chief objection, and about the only objection, urged against the Camp Grant location comes from some of the business men of the city of Rockford who desire to extend their factory sites onto this Government-owned land. The minority report filed by my good friend Governor YATES consists of four letters from four of these business men, and a reading of them will disclose their chief objections. The hearings show that Camp Grant is three hours' ride from Chicago, and entirely without the city limits of Rockford. Hearings were granted citizens of Rockford, and each person protesting the location of the reformatory frankly admitted the need for the reformatory. This matter resolves itself into a question of whether the interests of the Government or the interests of the city of Rockford should be paramount. Similar objections will come from any possible location. I submit that when the Secretary of War consents to the use of these 500 acres, and when the commission, under the superintendent of prisons, has inspected the available sites and recommends Camp Grant, that the protests of the manufacturing interests of one city against the use of Government-owned land located without the city limits should not be taken too seriously.

Every State prison to-day is congested, as will be shown by the hearings on page 4. A table attached to the report on this bill shows the overcrowding of all three Federal prisons. The health and morals of the prisoners are greatly impaired. It also shows that there are 1,900 first offenders between the ages of 17 and 30, of which number 600 are World War veterans.

It is contemplated that this reformatory will be constructed over a 10-year period, with an annual appropriation not to exceed \$150,000. It is intended that the work shall be done by these first offenders, who are to construct their own reformatory, thereby giving them employment and removing these young men from constant association with the hardened criminals.

This is a condition, not a theory, confronting Congress. Our three prisons are overcrowded. The health of the prisoners is seriously threatened. The morals of these 1,900 young men are being constantly jeopardized. The expense is inconsiderate, while the need is urgent. The bill seeks to provide a Federal reformatory such as all modern States—such as the State of Illinois—have, in their wisdom and humanity, provided for their first offenders of tender years. I submit that the bill should be passed, both from a humanitarian standpoint as well as from a practical standpoint. It will save both money and men. It has the unanimous approval of the American Prison Association, practically all of the strong and influential women's organizations, the Secretary of War, the Department of Justice, and the President of the United States. It is sound financially; it is sound socially; and I respectfully submit that it is the least the Government should do from both a common-sense and a humanitarian standpoint. This is a duty we owe not only to these unfortunate young men but it is a duty we owe to our Government and to ourselves.

Mr. LONDON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by incorporating a letter from Mr. Samuel Untermyer, a letter containing statements in reply to accusations made by Mr. Goodykoontz, of West Virginia. I spoke with the gentleman from West Virginia, and I understood that he would oppose my request. I also spoke to the gentleman from Minnesota [Mr. VOLSTEAD]. I am making the request in their hearing.

The SPEAKER pro tempore. Is there objection?

Mr. VOLSTEAD. I object.

The SPEAKER pro tempore. Objection is heard. The Clerk will report the next bill.

#### JOINT COMMISSION OF GOLD AND SILVER INQUIRY.

The next business on the Calendar for Unanimous Consent was the resolution (H. J. Res. 441) creating a joint commission, to be known as the joint commission of gold and silver inquiry, which shall consist of five Senators, to be appointed by the President of the Senate, and five Representatives, to be appointed by the Speaker.

The title of the resolution was read.

The SPEAKER pro tempore. Is there objection to the present consideration of this resolution?

Mr. BLACK. I object.

Mr. RAKER. Will the gentleman withhold for just a moment?

Mr. BLACK. Yes.

Mr. RAKER. Mr. Speaker, I want to say to the House that yesterday the Senate passed an identical resolution without any other than a general explanation (S. J. Res. 287, CONGRESSIONAL RECORD, p. 4867); that it went through the Senate and the resolution is now lying on the Speaker's desk. I hope the gentleman will permit the House Joint Resolution No. 441 to be laid aside and the Senate Joint Resolution 287 be taken up and passed.

It is a vital matter to the mineral interests of the West. There are gentlemen here who are familiar with it. The chairman of the Committee on Mines, the gentleman from Utah [Mr. COLTON], and the gentleman from Colorado [Mr. TAYLOR] and myself have a deep interest in it in the way of seeing the question of mineral interests developed. This has nothing to do with the standard of silver and gold, but simply is to make an investigation and report to the Congress the result of the development of minerals. It is for the reasons set out in the report that the resolution is desired. It should pass, and I hope no gentleman will object.

Mr. BLACK. Mr. Speaker, will the gentleman yield?

Mr. RAKER. Yes.

Mr. BLACK. I have no special interest in this. As a general rule I do not favor the creation of these numerous commissions unless there is some definite aim in view. Now, why can not any committee of the Senate or of the House obtain this information?

Mr. RAKER. Under the conditions and under the strain it is impossible. There are a number of men here who are familiar with it, and I know they will help to explain it.

Mr. BLACK. I do not want to be unreasonable.

Mr. RHODES. Mr. Speaker, will the gentleman allow the Clerk to read two sections of the report? That will satisfy all criticism.

Mr. BLACK. I have no objection.

The SPEAKER pro tempore. The Clerk will read the matter indicated.

The Clerk read as follows:

Extensive hearings were recently held by the Senate Committee on Mines and Mining on Senate Concurrent Resolution 37, which has been amended to conform to House Joint Resolution 441, and was favorably reported a few days ago.

The printed hearings show that a number of expert economists and mining men testified in support of the Senate resolution. An examination of the testimony of these witnesses shows the following state of facts to exist:

1. The annual production of gold and silver in the United States and throughout the world has been decreasing for a number of years.

2. That many of the silver mines will be compelled to close down and cease operation upon the expiration of the Pittman Act, unless something is done to improve the condition of the industry.

3. Over 80 per cent of the silver of the world is produced in North America and the major portion of it is controlled by American citizens, yet the price of our silver is arbitrarily fixed by four London brokers, controlled by the Bank of England.

4. Great Britain's control over the price and distribution of silver gives her an advantage in commerce in China and India, where the largest foreign silver market is found.

5. That our export trade is adversely affected by conditions surrounding the production, marketing, sale, and use of silver.

6. In 1919 \$80,000,000 of gold went into jewelry and the fine arts in the United States, while our total production of gold for that year was but \$58,000,000. The world's production of gold in 1915 was \$474,000,000, and in 1922 it was but \$327,000,000.

There are so many complex questions relating to the cost of production, reduction, refining, transportation, marketing, and uses of gold and silver that your committee is of the unanimous opinion a fact-finding commission should be created and report back to Congress the result of its inquiry as soon as practicable. This legislation has no bearing upon the questions of monometallism, bimetallism, or fiat money, nor does it propose a subsidy for either gold or silver.

Mr. BLACK. Mr. Speaker, in view of the fact that the Pittman Act expires in the near future, I will withdraw my objection.

Mr. STAFFORD. Mr. Speaker, I enter a reservation of objection.

The SPEAKER pro tempore. The gentleman from Texas [Mr. BLACK] withdraws his objection, and the gentleman from Wisconsin [Mr. STAFFORD] reserves the right to object.

Mr. STAFFORD. In view of what has been read from the report, what advantage will be gained by the commission going around the country to explore into this question?

Mr. COLTON. I hope the gentleman will not object. I do not know that there will be any commission going around the country. I do not believe our congressional commissions often take unnecessary trips. No investigation has ever been made of the mineral situation in the United States.

We do know that there is a depressed condition in the mining industry; that many mines will have to close down, undoubtedly will close down, at the time the Pittman Act expires. We believe that there are certain agencies operating against the

profitable production of gold and silver, and that a fact-finding commission will give us the information necessary to determine the causes of the depression and threatened great injury, if not permanent crippling, of the mining industry. Surely no one would want that if it can be avoided, and I think it can be. We feel sure now that certain conditions are greatly hindering the mining business and undoubtedly the industry can be greatly stimulated.

In the first place, we believe that the freight rates are excessively high, and I believe ores are being discriminated against in freight rates. No one is in a position to give accurate information or reason for the depression of the mining industry. We hope to bring out a lot of facts that will help us to solve the problem. This is merely a fact-finding commission, such as we had investigate agriculture and other industries.

Mr. STAFFORD. Why can not that be done by the Committee on Mines and Mining?

Mr. RHODES. This commission is to be appointed for the same reason that we appointed the Commission on Agricultural Inquiry. That commission consists of five Senators and five Representatives, and the same reasons which justified the appointment of that commission justify the creation of this commission.

Mr. HAYDEN. Another point that is embarrassing the industry is that the smelters impose a burden on them. These great smelters make undue deductions for moisture in the ore and in many other particulars, and if that could be investigated it would develop facts that would aid the industry itself.

Mr. STAFFORD. What is the estimate of the cost or expenses of this commission?

Mr. RHODES. The commission serves without pay.

Mr. STAFFORD. Yes; I know. We have observed how careful some commissions are in expenditures, and with some how the extravagance goes wild. Would the gentleman object to limiting the amount to \$10,000?

Mr. RHODES. That question was raised in the Senate, but the gentleman will remember that there was no limit on the joint agricultural commission, and none of the other commissions that have been created in the Senate have been limited in expenses. I see no good reason why the commission authorized in this resolution should be put under a limitation.

Mr. STAFFORD. The committee may not be able to see any good reason, but, as an individual Member of Congress, I can see some reason why the commission should be placed under a limit as to their expenditure. I want to be reasonable as to the amount, but I do not intend to allow any commission to have a free rein.

Mr. RHODES. The gentleman has allowed and this House has allowed the Joint Commission on Agriculture to proceed without limit.

Mr. STAFFORD. Yes; and the Coal Commission came in the other day for an additional appropriation of \$400,000.

Mr. RHODES. I trust the gentleman will be indulgent and let us state our case.

Mr. STAFFORD. Surely.

Mr. RHODES. I never have come before the House and insisted on a proposition unless I believed there was merit in it. I do think in this case it would be unfair to the silver and gold mining industry to deny them this commission, and put the commission under a limitation as to expenses. I feel certain there will be no danger of this commission indulging in extravagant expenditures, and I think the gentleman ought not to insist on placing a limitation on it, because we do not know what those expenses are going to be. I am sure they will be modest.

Mr. STAFFORD. Would the gentleman object to some reasonable limitation?

Mr. RHODES. I would not. I do not believe, Mr. Speaker, there is a man on the floor of this House who is prepared to-day to say just what would constitute a reasonable expenditure.

Mr. BLANTON. Mr. Speaker, I want to reserve an objection to ask the question.

Mr. CRAMTON. I want to say to the gentlemen who are interested in this matter that they seem to have no idea whatever of what it is going to cost the Government, and have brought in a bill under which the entire contingent fund of the House could be taken for expenses. They may travel all over the United States, to every mine and over every railroad in the study of the freight rates, and so forth. Under these conditions, whatever may have been provided in the past, does not the gentleman think it is time for the House to establish a precedent and fix the limitation of cost?

Mr. ARENTZ. We do not know whether it will be \$10,000 or \$25,000.

Mr. CRAMTON. I should think that \$2,000 would be enough.

Mr. ARENTZ. They will want to make inquiry among all the nations of Europe.

Mr. CRAMTON. Under this bill they could not visit all of the nations of the world. They should do it in Washington.

Mr. ARENTZ. They are not going to visit any country outside of the United States. They may sit in Washington; they may go as far as Butte, Mont. It will be necessary to travel in the United States, but we do not know how far; we do not know whether it would take \$10,000 or \$25,000.

Mr. CRAMTON. This Congress right along has required the executive departments to come to Congress with definite information—definite estimates. We require every Government department—every executive department—to do that, and we ought to be willing to conform to it ourselves. If nobody knows how much is needed for this purpose, the bill had better wait until they get that information.

Mr. STAFFORD. Further reserving the right to object, I would like to have some expression as to whether the proponents of this bill want to place any limitation on the cost of this commission.

Mr. BUTLER. Mr. Speaker, I am going to demand the regular order. There are others interested in this calendar.

Mr. BLANTON. Mr. Speaker, if the regular order is demanded, I shall object.

Mr. BUTLER. I am not going to demand the regular order.

Mr. BLANTON. If the gentleman will permit, I would like to ask some questions.

Mr. COLTON. The gentleman from Pennsylvania has withdrawn his demand for the regular order.

The SPEAKER pro tempore. Is there objection?

Mr. BLANTON. Mr. Speaker, I reserve the right to object. Under the authority of this bill it does not limit the five Senators and five Representatives to Members of the Sixty-eighth Congress, but they could be appointed from the retiring Members of the Sixty-seventh Congress who will go out of office next Sunday, and they could be appointed in five minutes after this resolution is agreed to.

Mr. ARENTZ. If the gentleman is referring to me, I will say that the Sixty-eighth Congress is quite agreeable to me. I would not go on this commission if I had a chance to.

Mr. BLANTON. I did not know that the gentleman was connected with the matter at all and did not have him in mind. I know what has happened with respect to other commissions.

Mr. ARENTZ. Oh, that suspicion is so often thrown around here that we are all looking for jobs. I am not.

Mr. BLANTON. I am glad to know that, but other gentlemen are, and fat jobs are being filled every day. Members who are leaving this Congress could be appointed upon this commission, and then after they have performed the work they could come in as another commission did two years ago and ask for salaries at the rate of \$7,500 per year, and get them out of the Treasury, and then extend their commission on for a long time.

I want to ask the chairman of the committee why he did not limit this? There are other resolutions to come up similar to this one that do limit the appointments to Members of the Sixty-eighth Congress, which will prevent extra salaries. I call attention to the fact that anywhere in continental United States this commission may meet. It may meet in Seattle, it may meet in San Francisco, it may meet in Albuquerque, N. Mex., or it may meet in Miami, Fla., or in Boston, Mass.

Mr. ARENTZ. The subject is one that is large enough to justify that.

Mr. BLANTON. But not to justify possible junketing trips. Just one other point. I call attention to this to show that the rights of the American people are not properly safeguarded. This bill provides for the appointment of a stenographer to wait upon the committee. We are to adjourn next Sunday. We have four reporters of committees, not the ones who are taking our debates here, but the ones who are in the House Office Building, who have offices there. They will not have one single thing to do for nine months and they are drawing \$6,000 a year from the Treasury, with nine months' vacation. Why does not the gentleman provide that one of them should serve on this committee and not have to appoint another patronage stenographer with a new salary?

Mr. RHODES. Mr. Speaker, if the gentleman is addressing his inquiry to me, I desire to say that the author of the bill, the gentleman from Utah [Mr. COLTON], has followed the language in existing congressional commissions.

Mr. BLANTON. If this were the only one of such resolutions it would not be so bad, but the gentleman from New York [Mr. CLARKE] has one in his pocket that he expects to call up. There are others here that are coming up in the

closing hours of Congress for these commissions that can travel all over the world and the United States for the next nine months, during vacation, and waste thousands of dollars of the people's money.

Mr. RHODES. Mr. Speaker, the provision confining the activities of this commission to continental United States was put in the bill for the reason that the original act as introduced in the Senate would have authorized the commission to go anywhere, and members of the House Committee on Mines and Mining objected to that wide latitude. That phrase was put in there to confine the activities of the committee to the United States.

Mr. BLANTON. That proves that some one had a design to travel over Europe. Just this further suggestion: One paragraph of this bill still directs this commission to confer with parties in foreign countries.

Mr. ARENTZ. That is necessary.

Mr. RHODES. That can be done by correspondence.

Mr. BLANTON. It attempts to limit that by inserting a provision that the committee shall not sit anywhere except in continental United States. That is a committee amendment. Suppose this passes the objection stage and the resolution comes up for passage and that the gentleman offers his committee amendment and the House votes it down. Then the other provision in the bill will be the law and will permit this commission to hold its hearings in Liverpool, in London, in Paris, in Rome, or anywhere else in foreign countries.

Mr. HAYDEN. The Senate bill has that limitation in it and we are trying to pass the Senate bill.

Mr. BLANTON. There are some splendid gentlemen interested in this matter, and I hate to oppose them, but I feel that it is my duty to object to this bill.

Mr. GRAHAM of Illinois. Mr. Speaker, I demand the regular order.

Mr. BLANTON. Mr. Speaker, I object if that is to be done.

Mr. RAKER. Oh, just give us a moment and we can meet the situation.

Mr. GRAHAM of Illinois. I demand the regular order.

The SPEAKER pro tempore. Is there objection?

Mr. BLANTON. I object.

Mr. COLTON. Mr. Speaker, I ask unanimous consent that the resolution may retain its place on the calendar.

The SPEAKER pro tempore. Is there objection?

Mr. BLANTON. I object.

Mr. RAKER. Mr. Speaker, would not the Speaker recognize the gentleman from Utah to suspend the rules and pass this joint resolution? It will take only a few minutes, with these amendments.

The SPEAKER pro tempore. The Chair could not do that now.

#### RESERVOIR SITES.

The next business on the Calendar for Unanimous Consent was the bill (S. 3123) to amend section 1 of the act entitled "An act providing for the location and purchase of public lands for reservoir sites," approved January 13, 1897, as amended.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That section 1 of the act entitled "An act providing for the location and purchase of public lands for reservoir sites," approved January 13, 1897, as amended, is amended by inserting at the end thereof the following new sentence:

"The Secretary of the Interior, in his discretion, under such rules, regulations, and conditions as he may prescribe, upon application by such person, company, or corporation, may grant permission to fence such reservoirs in order to protect live stock, to conserve water, and to preserve its quality and conditions: *Provided,* That such reservoir shall be open to the free use of any person desiring to water animals of any kind; but any fence erected under the authority hereof shall be immediately removed on the order of the Secretary."

The SPEAKER pro tempore. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read a third time, and passed.

#### MINING OF COAL, OIL, ETC., ON PUBLIC DOMAIN.

The next business on the Calendar for Unanimous Consent was the bill (S. 3794) to amend section 35 of the act entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain," approved February 25, 1920.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. I object.

## BRIDGE ACROSS TUG FORK OF BIG SANDY RIVER, KY.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 11477) granting the consent of Congress to the Freeburn Toll Bridge Co. to construct a bridge across the Tug Fork of Big Sandy River, in Pike County, Ky.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill? [After a pause.] The Chair hears none.

The Clerk read as follows:

*Be it enacted, etc.*, That the consent of Congress is hereby granted to the Freeburn Toll Bridge Co., and its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Tug Fork of Big Sandy River at a point suitable to the interests of navigation, at or near the mouth of Peter Creek, in the county of Pike, in the State of Kentucky, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Sec. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read the third time, was read the third time, and passed.

Mr. LANGLEY. Mr. Speaker, I ask unanimous consent briefly to extend my remarks in the Record and explain the delay in reference to the passage of this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky? [After a pause.] The Chair hears none.

## SALE OF CERTAIN AIR SERVICE PROPERTY.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 14388) to authorize the sale of certain Government property and authorizing an appropriation for permanent buildings and improvements for use of the engineering division of the Air Service of the Army.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill?

Mr. STAFFORD. Mr. Speaker, I object.

## COLUMBIA RIVER AND WILLAMETTE SLOUGH, OREG.

The next business on the Calendar for Unanimous Consent was the joint resolution (H. J. Res. 415) for the relief of St. Helens, Oreg., by improving the channel between the harbor of St. Helens and the Columbia River.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection to the present consideration of this joint resolution? [After a pause.] The Chair hears none.

The Clerk read as follows:

*Resolved, etc.*, That the Secretary of War is hereby authorized and directed to construct and maintain a channel between deep water in the harbor of St. Helens, Oreg., and deep water in the Columbia River, in accordance with the recommendations made in the House Document No. 156, Sixty-seventh Congress, second session, out of any moneys heretofore or hereafter appropriated or allotted for the improvement or maintenance of channels in the Columbia River.

The committee amendment was read, as follows:

Strike out all of lines 3 to 10, inclusive, page 1, and insert in lieu thereof the following:

"That the Secretary of War is hereby authorized and directed to modify the project for the improvement of the Columbia and lower Willamette Rivers, below Portland, Oreg., in accordance with the reports submitted in House Document No. 156, Sixty-seventh Congress, second session."

The amendment was agreed to.

The joint resolution as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended.

## GRANTING HELL'S HALF ACRE TO NATRONA COUNTY, WYO., FOR A PUBLIC PARK.

The next business on the Calendar for Unanimous Consent was the bill (S. 4146) permitting the State of Wyoming to reconvey certain lands to the United States and to select other lands in lieu thereof, and providing for the patenting of certain lands to Natrona County, Wyo., for public-park purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill?

Mr. BLANTON. Mr. Speaker, reserving the right to object, this being a bill to grant a patent of interest to the people of Wyoming, I shall not object.

The SPEAKER pro tempore. The Clerk will report the bill. The Clerk read as follows:

*Be it enacted, etc.*, That upon delivery to the Secretary of the Interior by the State of Wyoming of its properly executed and duly recorded deed or deeds reconveying to the United States of America in fee simple the lands in section 36, township 36 north, range 86 west of the sixth principal meridian, containing approximately 640 acres, the said State shall be authorized and permitted to select an equal number of acres from the unreserved, nonmineral, nontimbered, unap-

propriated public lands of the United States in said State, for the same purposes, and subject to the same conditions and limitations under which the lands so reconveyed were held.

Sec. 2. That when the title to section 36, township 36 north, range 86 west of the sixth principal meridian, shall have reverted in the United States pursuant to the foregoing provisions, the Secretary of the Interior shall cause a patent to issue conveying the said section 36, township 36 north, range 86 west, together with the north half of section 1, township 35 north, range 86 west of the sixth principal meridian, to Natrona County, Wyo., in trust for the purpose of a public park, but in said patent there shall be reserved to the United States all oil, coal, and other mineral deposits within said lands and the right to prospect for, mine, and remove the same.

Sec. 3. That the grant herein made is upon the express condition that within 30 days of the receipt of any request therefor from the Secretary of the Interior the county clerk of Natrona County, Wyo., shall submit to the Secretary of the Interior a report as to the use made of the land herein granted the county during the preceding period named in such request, showing compliance with the terms and conditions stated in this act; and that in the event of his failure to so report, or in the event of a showing in such report to the Secretary of the Interior that the terms of the grant have not been complied with, the grant shall be held to be forfeited, and the Attorney General of the United States shall institute suit in the proper court for the recovery of said lands.

The bill was ordered to be read the third time, was read the third time, and passed.

## AMENDING PATENT AND TRADE-MARK LAWS, AND FOR OTHER PURPOSES.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 14111) to amend the patent and trade-mark laws, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. RAKER. Mr. Speaker, reserving the right to object, my friend from Texas did not object to the other bill because, as the report shows, it is right around and includes what is known as "Hell's Half Acre."

Mr. STAFFORD. The gentleman, I presume, is thoroughly acquainted with the character of the location?

Mr. RAKER. Close, as you and ourselves; we meet on the border.

Mr. STAFFORD. Did the gentleman ever get close enough to be singed?

Mr. RAKER. I trust my friend has not been singed. We all have to keep a close lookout lest we slip. You know as well as I what might surely follow a careless act or wrong objection. I just wanted to refer to it by way of saying that sometimes it is advisable not to object. I withdraw the reservation.

Mr. BLANTON. He is much more likely to get singed here than there.

Mr. STAFFORD. In reference to this bill, reserving the right to object, this is a rather important bill, reported rather recently, to authorize the Commissioner of Patents or his assistants to modify and reinstate a patent and correct a mistake. The gentleman shakes his head as if to say that is not the purpose.

Mr. VESTAL. Mr. Speaker, the rules of the Patent Office now provide that these mistakes may be corrected by certificates, and what we want to do here is to give those certificates the authority of law. Practically all the people accept them, but sometimes we find somebody who does not accept those and then the whole matter has to go down to the Bureau of Engraving and Printing and the whole thing be reprinted at a cost, for instance, in a case like this, of \$49, where this certificate has only cost \$2. Practically everybody accepts such certificates, but we want to give them the authority of law and save money to the Patent Office instead of its being a larger expense.

Mr. STAFFORD. Then, as I understand, under the existing practice the Commissioner of Patents when he discovers a mistake has the right to correct it by issuing a certificate—

Mr. VESTAL. And we want to give those certificates the authority of law, of correction.

Mr. STAFFORD. I notice that a minor change will be made, but I will not draw attention to it until the change is made. I will withdraw my reservation of an objection.

The SPEAKER pro tempore. The reservation of objection is withdrawn. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.*, That whenever a mistake in a patent or trade-mark registration, incurred through the fault of the Patent Office, is clearly disclosed by the records or files of the office, a certificate, stating the fact and nature of such mistake, signed by the Commissioner of Patents and sealed with the seal of the Patent Office, may be issued, without charge, and recorded in the records of patents or trade-marks, and a printed copy thereof attached to each printed copy of the patent or trade-mark registration, and such certificate shall thereafter be considered as part of the original, and every patent or trade-mark registration, together with such certificate, shall have the same effect and operation in law on the trial of all actions for causes thereafter arising as if the same had been originally issued in such corrected form. All such certificates heretofore issued in accordance with the rules of the Patent

Office and the patents or trade-mark registrations to which they are attached shall have the same force and effect as if such certificates had been specifically authorized by statute.

SEC. 2. That section 892 of the Revised Statutes be, and the same is hereby, amended to read as follows:

"SEC. 892. Written or printed copies of any records, books, papers, or drawings belonging to the Patent Office, of letters patent, of certificates of registration of trade-marks, labels, or prints, authenticated by the seal of the Patent Office and certified by the commissioner thereof, or in his name attested by a chief of division duly designated by the commissioner, shall be evidence in all cases wherein the originals could be evidence; and any person making application therefor and paying the fee required by law shall have certified copies thereof."

SEC. 3. That section 11 of the trade-mark act of February 20, 1905, being Thirty-third Statutes at Large, page 725, be, and the same is hereby, amended to read as follows:

"SEC. 11. That certificates of registration of trade-marks shall be issued in the name of the United States of America, under the seal of the Patent Office, and shall either be signed by the Commissioner of Patents or have his name printed thereon and attested by an Assistant Commissioner of Patents or by one of the law examiners duly designated by the Commissioner of Patents, and a record thereof, together with printed copies of the drawing and statement of the applicant, shall be kept in books for that purpose. The certificate shall state the date on which the application for registration was received in the Patent Office. Certificates of registration of trade-marks may be issued to the assignee of the applicant, but the assignment must first be entered of record in the Patent Office."

With a committee amendment:

Page 2, line 24, strike out the words "page 725."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The amendment was agreed to.

Mr. STAFFORD. Mr. Speaker, I offer the following amendment.

The SPEAKER pro tempore. To the committee amendment?

Mr. STAFFORD. No.

The SPEAKER pro tempore. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

Mr. STAFFORD. Page 2, line 23, strike out the words "being Thirty-third Statutes at Large" and insert in lieu thereof "(33 Statutes at Large, page 724)."

The SPEAKER pro tempore. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. STAFFORD: Page 2, line 23, after "1905," strike out the words "being Thirty-third Statutes at Large" and insert in lieu thereof "(33 Statutes at Large, page 724)", with a comma.

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The SPEAKER pro tempore. The Clerk will report the next bill.

#### NAVAL STORES.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 14326) establishing standard grades of naval stores, preventing deception in transactions in naval stores, regulating traffic therein, and for other purposes.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. Mr. Speaker, before the objecting stage is passed I think some explanation should be made of this rather important measure.

The SPEAKER pro tempore. The gentleman from Wisconsin reserves the right to object.

Mr. HAUGEN. Mr. Speaker, this bill simply provides for the standardization of naval stores. There is so much of them being adulterated that it seems the unanimous sentiment of those who have knowledge of it that the bill should be passed, both in the interest of the purchaser and of the producer.

Mr. LONGWORTH. Mr. Speaker, will the gentleman yield?

Mr. HAUGEN. Yes.

Mr. LONGWORTH. Has not a similar bill been passed by the Senate?

Mr. HAUGEN. Yes. I propose to have the House bill laid aside and take up the Senate bill.

Mr. STAFFORD. There seems to be a necessity requiring a statement as to the quality of wool and the like.

Mr. ASWELL. I will say to the gentleman that 20 per cent of all the naval stores purchased by the United States are adulterated.

Mr. STAFFORD. All manufacturers, as I understand, are in favor of this measure, are they not?

Mr. ASWELL. Yes; the producers and the consumers and the public generally favor it. We had representatives before us of the Bureau of Chemistry in the Department of Agriculture recently, and they all agreed upon this bill.

Mr. STAFFORD. Mr. Speaker, I withdraw the objection.

Mr. HAUGEN. Mr. Speaker, I ask unanimous consent to take up the bill S. 1076. It is identical with this.

The SPEAKER pro tempore. The gentleman from Iowa asks unanimous consent to take up the Senate bill 1076, an identical bill. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the Senate bill.

The Clerk read as follows:

A bill (S. 1076) establishing standard grades of naval stores, preventing deception in transactions in naval stores, regulating traffic therein, and for other purposes.

Be it enacted, etc., That, for convenience of reference, this act may be designated and cited as "The naval stores act."

SEC. 2. That, when used in this act—

(a) "Naval stores" means spirits of turpentine and rosin.

(b) "Spirits of turpentine" includes gum spirits of turpentine and wood turpentine.

(c) "Gum spirits of turpentine" means spirits of turpentine made from gum (oleoresin) from a living tree.

(d) "Wood turpentine" includes steam distilled wood turpentine and destructively distilled wood turpentine.

(e) "Steam distilled wood turpentine" means wood turpentine distilled with steam from the oleoresin within or extracted from the wood.

(f) "Destructively distilled wood turpentine" means wood turpentine obtained in the destructive distillation of the wood.

(g) "Rosin" includes gum rosin and wood rosin.

(h) "Gum rosin" means rosin remaining after the distillation of gum spirits of turpentine.

(i) "Wood rosin" means rosin remaining after the distillation of steam distilled wood turpentine.

(j) "Package" means any container of naval stores, and includes barrel, tank, tank car, or other receptacle.

(k) "Person" includes partnerships, associations, and corporations, as well as individuals.

(l) The term "commerce" means commerce between any State, Territory, or possession, or the District of Columbia, and any place outside thereof; or between points within the same State, Territory, or possession, or the District of Columbia, but through any place outside thereof; or within any Territory or possession or the District of Columbia.

SEC. 3. That for the purposes of this act the kinds of spirits of turpentine defined in subdivisions (c), (e), and (f) of section 2 hereof and the rosin types heretofore prepared and recommended under existing laws, by or under authority of the Secretary of Agriculture, are hereby made the standards for naval stores until otherwise prescribed as hereinafter provided. The Secretary of Agriculture is authorized to establish and promulgate standards for naval stores for which no standards are herein provided, after at least three months' notice of the proposed standard shall have been given to the trade, so far as practicable, and due hearings or reasonable opportunities to be heard shall have been afforded those favoring or opposing the same. No such standard shall become effective until after three months from the date of the promulgation thereof. Any standard made by this act or established and promulgated by the Secretary of Agriculture in accordance therewith may be modified by said Secretary whenever, for reasons and causes deemed by him sufficient, the interests of the trade shall so require, after at least six months' notice of the proposed modification shall have been given to the trade, so far as practicable, and due hearings or reasonable opportunities to be heard shall have been afforded those favoring or opposing the same; and no such modification so made shall become effective until after six months from the date when made.

The various grades of rosin, from highest to lowest, shall be designated, unless and until changed, as hereinafter provided, by the following letters, respectively: X, WW, WG, N, M, K, I, H, G, F, E, D, and B, together with the designation "gum rosin" or "wood rosin" as the case may be.

The standards herein made and authorized to be made shall be known as the "official naval stores standards of the United States," and may be referred to by the abbreviated expression "United States Standards," and shall be the standards by which all naval stores in commerce shall be graded and described.

SEC. 4. That the Secretary of Agriculture shall provide, if practicable, any interested person with duplicates of the official naval stores standards of the United States upon request accompanied by tender of satisfactory security for the return thereof, under such regulations as he may prescribe. The Secretary of Agriculture shall examine, if practicable, upon request of any interested person, any naval stores and shall analyze, classify, or grade the same on tender of the cost thereof as required by him, under such regulations as he may prescribe. He shall furnish a certificate showing the analysis, classification, or grade of such naval stores, which certificate shall be prima facie evidence of the analysis, classification, or grade of such naval stores and of the contents of any package from which the same may have been taken, as well as of the correctness of such analysis, classification, or grade, and shall be admissible as such in any court.

SEC. 5. That the following acts are hereby declared injurious to commerce in naval stores and are hereby prohibited and made unlawful:

(a) The sale in commerce of any naval stores, or of anything offered as such, except under or by reference to United States standards.

(b) The sale of any naval stores under or by reference to United States standards which is other than what it is represented to be.

(c) The use in commerce of the word "turpentine" or the word "rosin" singly or with any other word or words, or of any compound, derivative, or imitation of either such word, or of any misleading word, or of any word, combination of words, letter or combination of letters, provided herein or by the Secretary of Agriculture to be used to designate naval stores of any kind or grade, in selling, offering for sale, advertising, or shipping anything other than naval stores of the United States standards.

(d) The use in commerce of any false, misleading, or deceitful means or practice in the sale of naval stores or of anything offered as such.

SEC. 6. That any person willfully violating any provision of section 5 of this act shall, on conviction, be punished for each offense by a fine not exceeding \$5,000 or by imprisonment for not exceeding one year, or both.

SEC. 7. That the Secretary of Agriculture is hereby authorized to purchase from time to time in open market samples of spirits of turpen-

time and of anything offered for sale as such for the purpose of analysis, classification, or grading and of detecting any violation of this act. He shall report to the Department of Justice for appropriate action any violation of this act coming to his knowledge. He is also authorized to publish from time to time results of any analysis, classification, or grading of spirits of turpentine and of anything offered for sale as such made by him under any provision of this act.

Sec. 8. That there are hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, such sums as may be necessary for the administration and enforcement of this act, and within the limits of such sums the Secretary of Agriculture is authorized to employ such persons and means and make such expenditures for printing, telegrams, telephones, books of reference, periodicals, furniture, stationery, office equipment, travel and supplies, and all other expenses as shall be necessary in the District of Columbia and elsewhere.

Sec. 9. That if any provision of this act or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the act and of the application of such provision to other persons and circumstances shall not be affected thereby.

Sec. 10. That this act shall become effective at the expiration of 90 days next after the date of its approval.

Mr. LONDON. Mr. Speaker, I rise in opposition, and I ask for recognition in opposition to the bill.

The SPEAKER pro tempore. The gentleman from New York is recognized for five minutes.

Mr. LONDON. Mr. Speaker, one of the reasons why I oppose the bill is that I do not understand it. That is a very good reason for opposing it. I have been unable to follow it.

Another reason is that I would like to save the time of the House, and I would save the other four minutes if the gentleman from Minnesota [Mr. VOLSTEAD] will withdraw his objection to the request I previously made, and which I am about to renew. I ask permission to extend my remarks in the RECORD by incorporating a letter from Mr. Samuel Untermyer, the letter being a refutation of certain charges made against him during a debate in the House.

The SPEAKER pro tempore. The gentleman from New York asks unanimous consent to extend his remarks in the manner indicated. Is there objection?

Mr. BLANTON. Reserving the right to object, Mr. Speaker, I do not think that any individual in the United States who, off in another State, vilifies a whole committee of the House of Representatives, without any qualification at all, ought to have his remarks put in the CONGRESSIONAL RECORD, and I object.

The SPEAKER pro tempore. The gentleman from Texas objects.

Mr. LONDON. I do not want at this late hour to renew the controversy in which Mr. Untermyer participated. This request was to be made by the gentleman from Kentucky [Mr. THOMAS], who presented a minority report in the matter, but he has been in the hospital ill and somebody has asked me to present the request to the House.

Mr. VOLSTEAD. Will the gentleman yield to me?

Mr. LONDON. I will.

Mr. VOLSTEAD. Before the Committee on the Judiciary had done a thing Mr. Untermyer undertook to make an attack on it in the newspapers. He has repeated it; he has succeeded in getting a lot of stuff into the RECORD, and it does not seem to me that he should be given the privilege of spreading any more of this stuff in the RECORD attacking the committee. It is not fair to the committee; it takes too much time to defend the committee—

A MEMBER. The regular order.

Mr. LONDON. I am using my five minutes.

Mr. STAFFORD. The gentleman is proceeding by grace of the House. Under the rule the gentleman must confine himself to the matter under discussion.

Mr. LONDON. How much time have I remaining, Mr. Speaker?

The SPEAKER pro tempore. The gentleman has consumed four and a half minutes of his five minutes.

Mr. LONDON. I will ask the gentleman from Minnesota and the gentleman from Texas to withdraw their objection.

Mr. BLANTON. I want to wait until we are sure there are no improper attacks on the committee in the article which the gentleman wishes to put in the RECORD.

Mr. LONDON. I showed this letter to the gentleman from Minnesota.

The SPEAKER pro tempore. The time of the gentleman from New York has expired. Is there objection?

There was no objection.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

A similar House bill was laid on the table.

Mr. ASWELL. Mr. Speaker, I ask unanimous consent to extend my remarks on the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The extension of remarks referred to is here printed in full as follows:

Mr. ASWELL. Mr. Speaker, permit me to say that turpentine farming is one of the old industries of this country, engaged in from earlier colonial days. The oldest known records indicate that tar and pitch were made by the French in Nova Scotia as early as 1606. As early as 1610 the colony at Jamestown, Va., had instructions for making turpentine, but apparently there is no record of the shipment of turpentine from Jamestown.

As early as 1694 rosin was being shipped from New England to England, but whether this rosin originated in the New England States or had been made from the turpentine gum gathered farther South is not clear.

Turpentine farming may be said to have really begun in this country in North Carolina in 1723, and from that time until after the Civil War, possibly as late as 1870, the production of turpentine was primarily, if not entirely, a plantation industry carried on to a large extent by the planters coordinately with their other farm work. Throughout this period the production of turpentine was generally known as "turpentine farming" and even in certain sections of North Carolina, South Carolina, and Georgia is now frequently spoken of in the same terms. The term "turpentine or rosin manufacture" is practically unknown in the turpentine and rosin producing section. People who work timber for turpentine and rosin are known in the South as "turpentine producers" or "turpentine operators," or "turpentine farmers," never as "turpentine manufacturers."

Until after the Civil War comparatively little turpentine was distilled on the plantations. Until about 1830 the turpentine or gum was put in approximately 300 pound barrels and shipped to England or to Philadelphia, New York, or Boston, where by distillation it was separated into spirits of turpentine and rosin. Since about 1830 the separation of spirits of turpentine and gum has been made at Wilmington, N. C., where the stills were erected and in fact the larger part of the turpentine and rosin made in North Carolina to-day is produced at Wilmington from gum which has been shipped in barrels from interior points.

As the industry grew more and more planters established their own stills until, with the expansion of the industry into the States to the south and west of North Carolina, most of the operators had their own stills located on the tract of timber they were working, though even to-day in the Atlantic seaboard States there are a number of people interested in turpentine and rosin who have no stills of their own but sell their gum direct to another operator who has a still or turn it over to him for distillation for their account.

The production of turpentine and rosin, which began and continued up until after the Civil War largely as a plantation operation, has become more and more specialized until it is now conducted by a specially trained and experienced set of men, just as large-scale orcharding or ranching, creamery or cheese factories are operated. Most of the operators, however, are comparatively small. The Census Report for 1899 shows that 8½ per cent of the operations are conducted with a capital of less than \$5,000, 33.2 per cent with a capital of from \$5,000 to \$20,000, 49½ per cent with a capital of from \$20,000 to \$100,000, and 8.8 per cent with a capital of \$100,000 and over; but 247 of the 1,200 establishments listed are owned by corporations; the others are owned by individuals or partnerships. It is relatively certain that about one-half per cent of the turpentine and rosin operations are conducted on capital of less than \$30,000, which would not go far in financing a cotton plantation in the South, a butter or cheese factory in Michigan or New York, an orchard in Washington, California, Florida, or Virginia, nor would it run much of a corn or wheat farm in any of the States north of the Ohio River or as far west as the Rocky Mountains.

There are about 1,400 turpentine and rosin producers in this country, and probably 200 or 300 of these do not have their own stills but sell the gum direct to other establishments. There are approximately 45,000 people employed in the industry. The invested capital is something more than \$80,000,000, the annual salaries and wages amount to more than \$18,000,000, and the value of the products is more than \$50,000,000 annually.

In this connection it may be of interest to consider the parallel statistical data concerning the butter, cheese, and condensed-milk industry.

According to the 1919 Census of Manufactures, the total quantities of these materials produced in plants of this kind are as follows:

Total butter, 920,500,000 pounds, valued at something over \$522,000,000; total cheese, 473,500,000 pounds, valued at approximately \$137,000,000; condensed milk, 2,093,600,000 pounds, valued at approxi-

mately \$293,000,000; total capital invested in these plants is approximately \$315,000,000; salaries and wages are approximately \$54,000,000, and the total value of the product is approximately \$1,066,000,000.

There are 7,689 establishments, 59.6 per cent of which have a capital of less than \$100,000, and this 59.6 per cent of the establishments produce but 22 per cent of the total value of the product. The percentage of the plants operated by corporations is 73.2. The value of the products produced by corporations is 65.9 per cent of the whole.

Minnesota produces 146,300,000 pounds of butter and about 10,000,000 pounds of cheese.

Wisconsin produces over 93,000,000 pounds of butter, 298,000,000 pounds of cheese, and 248,000,000 pounds of condensed milk.

Iowa produces 90,000,000 pounds of butter, 10,000,000 pounds of cheese, 800,000,000 pounds of condensed milk.

Ohio produces 64,000,000 pounds of butter, 5,000,000 pounds of cheese, 119,000,000 pounds of condensed milk.

California produces 64,000,000 pounds of butter, 9,700,000 pounds of cheese, 46,000,000 pounds of condensed milk.

New York produces approximately 16,000,000 pounds of butter, 89,000,000 pounds of cheese, and 474,000,000 pounds of condensed milk.

The following facts are pertinent to this bill:

It has found that from 20 to 30 per cent of the samples of turpentine which have been collected in recent years have been adulterated anywhere from 2 to 50 or 60 per cent, also that in a good many localities, especially in the smaller stores, a mineral oil is delivered to the purchaser who asks for turpentine, and the ordinary small buyer who purchases from 1 to 5 gallons of turpentine has no reliable means by which he can determine whether or not the turpentine is adulterated. Many small shipments of 10 gallons or less are made interstate from the wholesale markets in one State to the retail stores in another.

Of the 100 or more deliveries of rosin which the Bureau of Chemistry has examined in the past two years, representing a total of from 30,000 to 40,000 barrels, all but a dozen of these different lots were found to be misgraded 20 per cent or more, and 60 per cent were misgraded 40 per cent or more, and about 50 per cent were misgraded two grades or more.

From the information which has been secured during the past five or six years, it appears that the adulteration of turpentine is increasing both in the producing and in the consuming sections. The misgrading of rosin is quite as general as it was four or five years ago.

While turpentine and rosin are made in the South, practically all is consumed in the North or West, or is exported, something over half being used in this country.

Formerly rosin was graded by means of samples made from rosin. These rosin samples were subject to bleaching, were easily broken, and in warm weather became misshapen. The Bureau of Chemistry has prepared standard type samples made of glass, and these have been accepted by all of the naval stores trade organizations in this country and are in general use in the grading of rosin. They have, however, no legal status except such as is given them by their general use.

No opposition on the part of either producers, consumers, or dealers in naval stores is known.

It is estimated that it will cost not more than \$5,000 the first year to enforce this act, since the existing facilities of the Bureau of Chemistry can be utilized in part of the work. It is not anticipated that the work will cost more than \$10,000 a year thereafter.

It is also estimated that the receipts from the examinations and tests which the Secretary of Agriculture is authorized to make will ultimately cover the expense of enforcing the act. It is provided in the bill that these receipts be turned into the Treasury as miscellaneous receipts.

For the season April 1, 1921, to April 1, 1922, the total production of turpentine in this country was approximately 486,000 standard barrels of 50 gallons and the production of rosin was 1,654,000 standard barrels of 500 pounds. These figures are for gum turpentine and gum rosin only. Wood turpentine and wood rosin constitute about 10 per cent additional. Florida produces about 40 per cent, Georgia about 23 per cent, Alabama about 12 per cent, Louisiana about 11 per cent, Mississippi about 10 per cent, North Carolina, South Carolina, and Texas about 4 per cent of the crop.

#### SALARIES OF UNITED STATES ATTORNEYS AND UNITED STATES MARSHALS.

The next business on the Calendar for Unanimous Consent was the bill S. 425, "An act authorizing the Attorney General of the United States to fix the salaries of United States

attorneys and United States marshals of the several judicial districts of the United States within certain limits."

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. BLANTON. Reserving the right to object—

Mr. SUMNERS of Texas. I reserve the right to object.

Mr. BLANTON. Mr. Speaker, this bill was reported by our distinguished colleague from Minnesota [Mr. VOLSTEAD]. Next Sunday our distinguished friend will have completed 20 years of honorable, faithful, efficient service in this House. [Applause.] I am one of those in this House who appreciates that service, who appreciates what the efforts of the distinguished gentleman, aided by his colleagues, have brought to his State and the Nation. He goes from this House back to Minnesota with the affection and regard and high appreciation of the present speaker and his many friends here.

Mr. Speaker, the name of the distinguished gentleman from Minnesota will live long in the United States; it will have a place here and in our Nation when our names probably are long forgotten. [Applause.] His name will be before the American people when the names of his traducers throughout the land are forgotten. [Applause.]

The distinguished gentleman from Minnesota has had his name prominently connected with the closing of every saloon in this great Nation, with the closing of every brothel, with the closing of every dive. It is a name that stands for honor and for sobriety and for national morality. [Applause.] It will continue to stand for the things that make home and the fire-side secure and worth while. It has been beneficial in setting a worthy example not only to the House of Representatives and Congress, not only to the State of Minnesota, but to the great United States, aye, even unto the whole world. Mr. VOLSTEAD in serving in the National Congress has served his country well. I am sure whatever you colleagues may think about the question so vitally connected with his name, whatever stand you may have taken on that question, I am sure the distinguished gentleman from Minnesota goes back to his home State next Sunday with your high regard, your sincere esteem, your confidence, and the hope for his success and happiness through the remainder of his life. I am sure I am not alone in hoping that he will soon come back to this National Capitol and again help serve his country.

Mr. UPSHAW rose.

The SPEAKER pro tempore. For what purpose does the gentleman from Georgia rise?

Mr. UPSHAW. Mr. Speaker, I rise for the purpose of saying a few words concerning the gentleman from Minnesota [Mr. VOLSTEAD], and ask unanimous consent that I may proceed for five minutes.

Mr. SABATH. Oh, we have heard one very good speech on the gentleman. If it is only as to the gentleman from Minnesota, I do not object.

Mr. UPSHAW. That is all.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. UPSHAW. Mr. Speaker and gentlemen of the House, it is an inspiring commentary on the immortality of human influence for a man to so live and so relate himself to a worthy cause that his name is given in unsullied honor to history's living page.

We honor such a builder of civilization to-day in the person of the gentleman from Minnesota, the Hon. ANDREW J. VOLSTEAD, and it is eminently fitting that as he closes his long and honorable career as a Member of this Congress we should pause a few minutes in thoughtful, appreciative recognition of his distinguished services. Because of his character and his acknowledged ability he was made chairman of the Judiciary Committee, and because of this position his name is forever linked to our national enforcement law which the passage of the eighteenth amendment to the Constitution made incumbent upon Congress.

Regardless of any man's personal taste and legislative predilections, he must admit that it is a signal and imperishable honor to have one's name made the synonym of the greatest piece of moral and humanitarian legislation ever enacted through due constitutional process by any nation on earth. But I wish to protest, in the name of all the forces of righteousness in America, against the disparaging criticisms of the liquor press of this country concerning what they are pleased to term "gloomy Volsteadism." They are seeking to discount national prohibition by the aspersive application of a personality or an epithet. However great any man's name, however outstanding any personality, let it be remembered that this law, which

fought its way to victory as the expression of generations of agitation, education, and prayerful consecration, is greater than any personality and more powerful than any name. This law is no more "Volsteadism" than it is Neal Dowism, or Frances E. Willardism, or John P. St. Johnism, or John G. Wooleyism, or Howard Russellism, or Wayne Wheelerism—it is greater, I tell you, a million times greater than any of these—it is Americanism, sane, sober, constitutional Americanism [applause]—a triumphant, unselfish Americanism that stands, first of all, for the stainless purity and sobriety of its own flag and every home beneath that flag—and then, pray God, for altruistic leadership in carrying sobriety to the drinking, staggering world.

HAS WARMED MILLIONS OF HEARTHSTONES.

We have all laughed about the story of that enterprising Pennsylvania citizen who hit upon a clever plan to replenish his winter coal supply. Erecting a sign, "Hurrah for Volstead!" beside the railroad, every trainman who mourned for his beer, every hobo who liked illicit liquor as well as an illicit ride, would grab a lump of coal from the open car and hurl it at the sign. And before the winter was very far advanced he could take down his sign in thrifty triumph, for his coal bin was full and his furnace all aglow. [Laughter.]

Oh, my colleague from Minnesota, let the liquor editors rave about your name and the law you helped to frame and pass, but we love to remember that, because of the saving influence of the law that bears your honored name, fires have been kindled on millions of hearthstones that were erstwhile cold and desolate, millions of empty larders have been filled with plenty and to spare, and the roses of beauty and happiness, thank God, have been made to bloom on the wan and wasted cheeks of millions of wives and mothers and laughing children. Yes, hurrah for the eighteenth amendment and the Volstead law! [Laughter and applause.]

The strange, strange thing, gentlemen of this House, is that any friend of humanity can give courage to lawbreakers and liars by criticizing, instead of obeying and defending, this benevolent, wholesome law.

Although every honest man must agree that conditions are greatly improved over the old legalized reign of rum and ruin, we must agree that President Harding told the truth when he recently said before this Congress that the situation is gravely serious, and before the curtain falls on the Sixty-seventh Congress I desire to say a final word for vacation contemplation concerning the supremest question before the people of this country, and before coming to my main argument I wish to gratefully acknowledge the vigilant kindness of the gentleman from Michigan [Mr. CRAMTON], the ever-alert gentleman from Texas [Mr. BLANTON], and the unique gentleman from Mississippi [Mr. QUIN] in making prompt reply during my imperative absence to the "wet" speeches of the gentleman from Maryland [Mr. HILL] and the gentleman from New York [Mr. COCKRAN], whose rash efforts to answer my plea for sober officials and sober citizens led them into the commission of what I counted monumental follies. It is pertinent, perhaps, to say that I was celebrating that modern edition of the Fourth of July, the 16th of January, anniversary of the adoption of the eighteenth amendment, by addressing a great "dry" rally in New York, the home city of Mr. COCKRAN, and there I witnessed the militant birth of a national movement for sober officials and the righteous triumph of constitutional law that would make the black hair of Mr. HILL turn gray overnight and that would have caused consternation to the eloquent tribune of Tammany Hall and those gay "wet" twins from Boston, Hon. JAMES GALLIVAN and Hon. GEORGE HOLDEN TINKHAM.

One other little side journey I wish to take before starting on the main line. I wish the genial and gentlemanly newspaper men to get straight forevermore my ecclesiastical status. In introducing my recent pleas for official sobriety the papers have referred to me as "a former evangelist" and the "preacher Congressman." I want it distinctly understood that I am not an "ex" anything. What I was I am. I am not an ordained preacher; I am just a layman, "a sinner saved by grace." I hope, believing with all my heart that since religion is the greatest thing in the world, holding within its compass the supremest issues of time and eternity, it is the commanding duty as well as the joyous privilege of every Christian man and woman to be active in church work, "every day and Sunday, too." For, remember, we are living the only life we shall ever live "between the two peaks of God's eternity," and no journeyman of the ages has a right to "kill time," for "it is time that is killing him."

TAKES COLLEAGUES INTO HIS CONFIDENCE.

Very frankly, taking my colleagues into my confidence, one reason I have never been ordained to preach, I have wanted to feel free as a layman to help lick the fellow who jumps on

preachers; whenever I hear a blind, stingy parasite say that "a p-r-e-a-c-h-e-r always hears the call where the biggest salary is," I want to be free as a layman to lash him with my tongue or crack him with my crutch and remind him that he is one of the "nuts" that do not pay any of the salary. And when I hear another blind parasite say that "preachers' children are the worst children in the world," I love to be free as a layman to look him in the face and tell him "without mental reservation or purpose of evasion" that he is an unmitigated fool or an unfumigated liar—"either all or both." If one child of a preacher goes wrong, you tell the world; but you hear nothing of the ninety and nine who live on in the modest beauty or the conquering glory of their God-fearing lives, going out from the sacred influences of family altars and sacrificial parental example, making a positive gulf stream of blessing through the social, spiritual, educational, and political life of the Nation, fructifying every shore that it touches. Verily the faithful preacher is the pack horse of the community life. He restrains the erring, marries the loving, comforts the sorrowing, buries the dead, and then usually sinks into his grave without money enough to purchase his own winding sheet, because, like his Master, he has loved humanity better than he has loved worldly preferment or the "yellow glare of gold." Thinking of how preachers, Bibles, churches, and schools give fundamental value to our own homes, our property, and everything that is worth while in our treasured civilization, I love to be free as a layman to crown the underpaid preachers and teachers as the most unselfish men and women the world has ever seen.

AS STRAIGHT AS A STRAIGHT LINE.

Let me say at the very outset that I challenge a critical, honest review of my every statement concerning this matter, both before and since my plea for sober officials. My course in this contention has been as straight as the geometrical definition of a straight line—the shortest distance between two given points. I simply seized upon the President's call for a conference of governors to consider ways and means for a better enforcement of the prohibition law, to commend the power of official example as the quickest and surest way to get results; and while recommending the strict observance of the Volstead law and the spirit of the eighteenth amendment by all governors, I naturally—and I think very properly—widened the application to all officials in Washington and all officials everywhere, especially those whose oath of office calls for loyalty to the Constitution of the United States. The discussion of the sanity, safety, and crying necessity of this plea could hardly be called academic, for the converse of the proposition is unthinkable—it is simply preposterous.

Paying glad and grateful tribute to the vast majority of my colleagues who, I declared, practice the prohibition which their votes profess, I earnestly and honestly called on those who do not to give up their bibulous habits and encourage all high officials to set an example of sobriety and obedience to law for the sake of clean citizenship and happy homes among the masses of the American people.

And despite the sensational hysterics of a few very "wet" newspapers, the overwhelming majority of the correspondents in the press galleries being square, fair, and helpful, I have not sought to embarrass anybody but devilish, defiant bootleggers. As they can not live without patrons, I have tried to dissuade these patrons from their personal and official devilment. There was no occasion, it seems to me, for the excitement that has expressed itself in news columns, on editorial pages, and among the magazines and cartoonists of the country; but hostile editors may criticize and "wet" politicians may try to make it a joke, punmakers may pun, and funmakers make fun; but when a man knows he is on the side of the Constitution and sobriety he can be tranquil in heart and humbly but proudly conscious of victory. In the triumphant words of that old camp-meeting song he can "Smile at Satan's rage and face a frowning world," "Thrice armed is he whose cause is just."

PRESERVING "LIBERTY" IN ALCOHOL.

Packed into one paragraph, all who have heard the recent speeches of the eloquent gentlemen from New York and Boston will agree that they mean this and only this: That all laws must conform to the customs of the communities for which they are made, and that all efforts to regulate and restrain by law the inclinations, the habits, and the "liberties" of the individual are born of fanaticism and doomed to failure. Weaving a halo of eloquence around the brow of the great lawyer, James C. Carter, who spent the last seven years of his life writing lectures for the Harvard Law School on "The Philosophy of Law," the late Mr. COCKRAN made this statement:

The main proposition underlying them was that all law is merely custom; that no statute can have the force of law which does not enforce customs already established in the locality affected by it.

Why, gentlemen of the House, that unthinkable position would nullify every law of God and man from Sinai to Washington, D. C.—yea, and that utterly unthinkable contention would shatter the towering temple of every state and national government on earth. It would subject every governing entity to the caprice of every defiant atom. Illinois would tremble daily before the behest of Chicago, Ohio would crouch and cower when Cincinnati showed its gnashing teeth, Massachusetts would run under the bed when "rum cultured" Boston entered the door, and the Goddess of Liberty herself would splash into the waters of the Bay of New York or plunge from her sunlit apex on the proud dome of every capitol in which we make laws for the whole Nation to-day just because boozy Baltimore and gay and godless Gotham shake their fists at the Constitution and the flag and tell sober "Uncle Sam" to go where it does not snow!

The difference between their concept of "liberty" and mine is this: I think liberty can be preserved in the duly enacted Constitution and in the loyal hearts of sober American citizens, and they think liberty "can only be preserved in alcohol."

These gentlemen complain that the purpose of prohibition—"to make men good"—is "utterly repugnant to every element of democracy." It is further declared concerning the purpose to make men good by law:

This is precisely what no government can do and which no democratic government can undertake to do without violating the principles that are absolutely fundamental.

#### THE WISDOM OF GLADSTONE.

Over against this baseless governmental fallacy I offer the declaration of William E. Gladstone—that towering genius and Christian statesman, of whom Henry Grady said, "He seems to have caught the inspiration of the Infinite and towers, half human and half divine, from his earthly eminence, while the light of another world seems beating in his grand old face." This great builder of Christian civilization said:

It is the duty of government to make it as hard as possible for the citizen to do wrong, and as easy as possible for him to do right.

That is wisdom—fundamental governmental wisdom, in radiant consonance with wisdom divine. The friends of the licensed saloon have always contended that "you can not legislate morality into people." I answer that since no nation can live long without morality, it is therefore the function of government, in the sane and stalwart processes of its own preservation, to protect the agencies and institutions that make for morality. It is not the function of government to patronize the church and subsidize the home, but it is the solemn, saving duty of the government to stand by the door of the home, the church, and the school and fight off the wolves of temptation and damnation that are trying to strike down the youth of the nation, without which no government can endure.

Talk about its not being democratic or ethical or governmental to try to interfere by law with the appetites and inclinations of the individual! That position is so palpable, so glaring, that a 10-year-old schoolboy would marvel at its folly. "Thou shalt not!" "Thou shalt not," or "thou shalt!"—unwelcome limitations on the liberties of the individual for the common good, have come sounding down through the ages from the throne of God and the courts of man. On the parchments of the early Orientals, on the tables of stone from the hand of God, in the musty records of modern governments that have struggled upward toward the light—yea, on the "burnished ceiling of the sky of God"—we read the daily reflection of this eternal truth.

#### LIQUOR MAKES A MAN THINK WRONG.

There is something about liquor that makes a man think wrong; whether he drinks it or whether he thinks it, he finds himself demanding for liquor a "liberty" which he claims for no other outlawed evil. Carrying one's own pistol in this "land of the free and home of the brave" might be called "an inalienable right," but organized society strikes that liberty down for the common good; selling and eating opium might be called "an inalienable right" as a surcease of worry amid fantastic visions and dreams, but the Government claims and exercises the right to stop the devilish traffic for the common good. Even hoary China, steeped and groping in ages of paganism, said "Thou shalt not" to Chinese "personal liberty"; and God knows America ought to do as much. These "wet" champions have never denied the right of the Federal Government to lay its strong hand on every drug store and every doctor in America for the purpose of curbing this insidious, national evil.

Seven thousand men in the State of New York decided last year to join a "personal liberty" gang with several hundred down in Georgia and appropriate another man's automobile without paying for it because the car "looked good" in this land of individual liberty, but no eloquent tribune of New

York or Massachusetts will hardly announce for Congress or governor or President on the platform that every well-dressed devil whose habits and inclinations cause him to want a car should be allowed to take one and use it for himself without being branded a criminal. The auto thieves of New York and Georgia have not wrought one-thousandth part of the havoc and horror to human happiness that has been wrought by the makers and sellers of the liquor for whose legal protection Mr. Hill, Mr. GALLIVAN, and Mr. TINKHAM so eloquently plead.

God of our fathers, citizens of America, save our youth and our national ideals from such insidious baleful sophistry!

#### THE HIGHER UPS AND THE LOWER DOWNS.

It is a "wet" argument that "the best elements of our society" do not like this prohibition law, and, naturally, they think they ought to be allowed to break it without being rated and indicted as criminals. It is to smile! "Best element," indeed! That means, of course, that whatever the denizens of the Bowery may do—however much they are provided by law with saloons in which to lounge and drink and rob their families of the fellowship of their society and the fruitage of their labor, bringing upon themselves the tragic indictment of being ragged "ne'er-do-wells," and people who live up on Riverside Drive and Fifth Avenue and "laugh and dance and wanton" and drink hard liquor and sparkling champagne beneath silken curtains and glittering chandeliers—these, these, these should be allowed to plunge into all sorts of bacchanalian excesses and still be called the "best element of our society." I am reminded of that declaration of Clinton Howard, the "little giant" of Rochester, when he recently said: "I am not so much afraid of the alien in the alley as I am of the anarchist on the avenue." And Will Hays, that astute arbiter of the motion picture corporations, in expressing his approval of my demand that the "higher ups" shall practice what they enforce on the "lower downs," said:

UPSHAW, you are on the right line. When I read your speech I was reminded of that startling cartoon of Darling in which he pictured a big limousine filled with silk-hat grandees, driving ruthlessly through a barbed-wire fence, labeled "The prohibition law," and right behind this shining limousine came a little old ramshackle roadster filled with long-bearded, wild-eyed bolsheviks, anarchists, and cut-throats saying: "We have a right to go where that big car goes!" Who shall deny their contention?

Gentlemen of the Congress, this cartoon of Darling's—this interpretation of Mr. Hays—is as fundamental to government as the preamble of the Declaration of Independence.

If our "best society" means drinking and carousing in defiance of law, then God save our youth from such gilded devilment, and give us the plain, humble American "log cabin" where sober contentment reigns.

#### THE SUPREMEST ISSUE IN THE PRESIDENTIAL CAMPAIGN.

There is beginning even now to be "a stirring in the tops of the mulberry trees" concerning the outstanding men and measures in the next presidential campaign. "Ifs" and "ands," prechments and prognostications are already lighting up the newspapers and magazines and littering up the wastebaskets. Cautious prophets abound, while incipient booms and boomlets, no bigger than a man's hand, flash, flicker, and fade upon the radiant alchemy of the presidential sky.

Who will be the man in each party, and what will be the main plank in his platform? "Listen, my children, and you shall hear." I tell you here and now what his name and his platform will not be: It will not be any name or any plank that trifles with the supremest question now before the Nation. I go William J. Bryan "one better" on his recent prophecy concerning the main planks in the Democratic platform. That miracle of genius, eloquence, and sustained power, who has been before the American people 30 years without a fleck upon his name, and who holds the faith of the masses in the hollow of his hand as never before, said that "UPSHAW did not go far enough in his demand for sober officials." I answer that I am ready to go as far as any sane man can go in order to help usher in an era of sober leadership, social and political, for the sake of the sanctity of law and the sobriety of the masses.

I believe with him in doing everything possible for the farmer. I am the son of a farmer, and my record in Congress will show my legislative sympathy with the man who clothes and feeds the world; I believe, with him, in every phase and form of legislative fairness to the man in overalls—I have worn overalls, and the man in overalls has always been my hero. Counseling conservatism, my votes will show that I have given the man in overalls the benefit of the doubt when striving to know and do my duty before the balancing scales of "even-handed justice"; I believe, with Mr. Bryan, in curbing and punishing the conscienceless profiteer, for even my humble home has felt his teeth and his claws; but all economic laws

will fail and fall if they are not planted in the secure guardianship of sober, intelligent humanity. Therefore I here and now announce that the supreme issue in the presidential campaign and the supreme plank of my own party platform will be the integrity of the Constitution, the majesty of duly constituted law, and personal and national sobriety. And when that platform is given to the world, mark my words, the Democratic Party will not dare to nominate a candidate who is not in 100 per cent sympathy with that platform. In other words, the Democratic Party will not nominate a man who meddles with a bottle, a man who personally violates the spirit of the eighteenth amendment; and may the Lord have mercy on the timorous souls of you Republicans if you dare to do less. The best people of America are weary, indignantly weary, not only with lawbreakers among the masses but above all with lawbreakers among the lawmakers. The awakened, regnant conscience of America—the upright, downright, outright conscience and character of this country will not stand any more for a kid-gloved camouflage on this question. If the Great War meant one thing more than any other thing, it meant the shattering of shams. The people demand the genuine in character, the genuine in religion, the genuine in politics, the genuine in everything. And they have made up their minds that any man who will flout a duly constituted law because his liquorized taste demands it is an unsafe leader for our plastic youth and for every citizen beneath the flag.

#### THE CAMELS AND THE WISE MEN OF THE EAST.

To the blind and foolish folk who, ostrichlike, hide their heads in the sand and flippantly declare that the sentiment of this country is changing toward a material modification of the prohibition law I commend that breezy, convincing survey of nation-wide sentiment on the prohibition question from the pen of Jack O'Donnell in Collier's of February 10. Beginning his story, "The camels and the wise men of the East," he says:

I am a wet. I have always been and always shall be. All my best friends are wet. I have always been thrown into or sought that company of drinking men. They are the kind of men I like—my kind. I am against prohibition from the first word of the title on the eighteenth amendment to the final word in section 20 of title 3 in the enforcement act. I am a reporter. When Collier's sent me out into the various States to find out "if the sentiment of the people is changing in favor of modification or repeal of the Volstead Act I put my personal opinions in my pocket, so to speak, and sought the facts."

After traveling with impartial observation through the admittedly "wet" East and all over the central Middle West and far Western States, this dyed-in-the-wool wet reporter declares "it almost breaks my wet heart" as he finds the facts which make him loth to admit even to himself that there is an abundance of evidence that "a great dry wave is rolling eastward, slowly but surely grinding down opposition to prohibition." Then "wet" but honest Jack O'Donnell scratches his head, wipes the cold sweat from his brow, and flings to his disconcerted comrades in the reeking realm of "wetdom" this fatal review and ominous warning:

Some day we "wets" are going to awaken to find that an overwhelming majority of the people of the United States are weary of bootleggers and dry-law violators. Some day, and that day is not far distant, these people are going to rid the country of the bootlegger and the rum-runner, just as the Vigilantes of the fifties rid the California mining camps of undesirable gamblers, gunmen, and prostitutes.

On which side will the defiant "wet" champions stand?

#### NULLIFICATION AND SECESSION.

The whole spirit of the recent "wet" speeches in this House have been a challenge to the Constitution and the law. Many of us have heard them say on this floor: "This law can not and ought not to be enforced." The Chicago Tribune and other "wet" papers in the great cities of the North have taken the same position. Gentlemen of the House, that is nullification—nullification from a strange geographical center—and nullification and secession are inseparable twins. I remind you of that immortal declaration of Daniel Webster in his reply to Calhoun:

To begin with nullification and not to proceed to secession, dismemberment, and general revolution, is as if one were to take the plunge in Niagara and cry out that he would stop halfway down. In the one case, as in the other, the rash adventurer must go to the bottom of the dark abyss below, were it not that that abyss has no discovered bottom.

It has come to this, that a son of the South, the son of a Confederate soldier in our reunited country, must teach to liquor advocates of the North the majesty of the law, the supremacy of the flag, and the integrity of the Federal Constitution.

And I remind these festive and illogical champions of liquor that, great as was New England in Revolutionary glory, and rich and "wet" and defiant as New York and New England are to-day, they constitute a very small part of the whole

United States, and to those who wish to "secede from the Union" in order to get all the liquor they want, we who believe in sober, constitutional government answer them as we point to the American flag: "Nothing doing! That emblem waves higher than the insignia of any State! We write again in burning letters that withering declaration of that heroic old war horse and pathfinder of reforms, Dr. Wilbur F. Crafts: 'You would not ratify and you shall not nullify.'"

Come on, ye boasted champions of democracy, and salute anew the flag that protects your homes!

#### AN UNFORTUNATE COMPARISON.

It is very regrettable that in strained and abnormal effort to show the danger of regulatory legislation there was recently spoken on the floor of this Congress a scathing indictment of a majority of the best people in America who believe in the prohibition of the liquor traffic by a far-fetched comparison of prohibition ideals with certain barbarous cruelties in Louisiana, with which certain hysterical papers have tried to connect the Ku-Klux Klan. Edmond Burke declared: "You can not indict a whole people."

And it is utterly unfair, un-American, and un-Christian to lay such a groundless charge at the door of the millions of patriotic, God-fearing men and women who believe in prohibiting by law the iniquitous liquor traffic, or to likewise indict, because of one isolated tragedy—whose source has not yet been proven—a great nation-wide patriotic organization whose members have just as much right to their fraternity and secrecy as the Knights of Columbus, the Masons, the Red Men, and countless other lodges, especially when the ritual and the oath of these klansmen, as registered in the Library of Congress, reveals a new dedication of loyalty to the Bible as the Word of God, to the Constitution of the United States and the supremacy of the American flag over every foreign power or potentate, political or ecclesiastical.

It is nobody's business to what organization a citizen belongs, just so he is true to God and obedient to the law of his country. And it is because the appetite for liquor and the advocacy of liquor poisons the spirit of genuine, constitutional Americanism that I here and now dedicate my all, of mind and heart and strength, to a truceless warfare against it, in the name of the God of battles, for a sober America and a sober humanity all over the world!

Mr. CRAMTON rose.

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. CRAMTON. To speak for a moment of the man Volstead.

Mr. RAYBURN. For how many minutes?

Mr. CRAMTON. Not exceeding five minutes.

Mr. RAYBURN. Mr. Speaker, a parliamentary inquiry. When are we going to adjourn? Is there an agreement in respect to the time of adjournment to-day? There are some uncontested bridge bills on the calendar that ought to be passed, that are important to local communities. If we are going to run only a little while longer, I am going to object to any further encumbrances.

Mr. MONDELL. I was in hopes that we could finish the Unanimous-Consent Calendar before we adjourned.

Mr. RAYBURN. That is satisfactory to me.

Mr. BUTLER. Are we to adjourn when we do?

Mr. MONDELL. I think under all of the circumstances that we must, but I hope we may finish the Unanimous-Consent Calendar to-day, and I trust that where bills are to be objected to that gentlemen will make the objection and that we may go on to the next one.

Mr. RAYBURN. Then I have no objection. My impression was that the House was going to adjourn about 5 o'clock.

The SPEAKER pro tempore. Is there objection to the gentleman from Michigan proceeding for five minutes?

Mr. HERRICK. Mr. Speaker, we have had two speeches now out of order. I do not want to object, but I want to say that I want to have about three minutes before the House adjourns, and if the floor leader will assure me that I can have that, that he will not object to my having three minutes, I shall not object now.

Mr. MONDELL. Oh, Mr. Speaker, I feel that I must object to these discussions.

The SPEAKER pro tempore. Objection is heard. Is there objection to the present consideration of this bill?

Mr. BLANTON. Mr. Speaker, I object to the consideration of the bill.

The SPEAKER pro tempore. The gentleman from Texas objects, and the Clerk will report the next bill.

## THURSTON W. TRUE—CONFERENCE REPORT.

Mr. SNELL. Mr. Speaker, I present a conference report upon the bill (S. 2984), for the relief of Thurston W. True, for printing under the rule.

The conference report is as follows:

## CONFERENCE REPORT.

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2984) for the relief of Thurston W. True, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses that the House recede from its amendment.

B. H. SNELL,  
JOHN C. KLECZKA,

*Managers on the part of the House.*

ARTHUR CAPPER,  
SELDEN P. SPENCER,  
JOE T. ROBINSON,

*Managers on the part of the Senate.*

## STATEMENT.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2984) for the relief of Thurston W. True submit the following statement in explanation of the action agreed upon by the conference committee and submitted in the accompanying conference report:

Appropriates \$1,000, as proposed by the Senate, instead of \$794, as proposed by the House.

B. H. SNELL,  
JOHN C. KLECZKA,

*Managers on the part of the House.*

## BRIDGES OVER NAVIGABLE CHANNELS OF MOBILE RIVER, ALA.

The next business on the Calendar for Unanimous Consent was the bill (S. 4469) to extend the time for the construction of a bridge or bridges and trestles over the navigable channels of the mouth of the Mobile River in the State of Alabama.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the times for commencing and completing the construction of a bridge or bridges and trestles, authorized by the act of Congress approved October 5, 1917, as revived and reenacted by the act of Congress approved February 14, 1922, to be built by the Gulf Ports Terminal Railway Co., a corporation existing under the laws of the State of Florida, over and across the navigable channels of the mouth of Mobile River from Bay Port, in township 4 south, range 2 east, on the east shore of the waters of Mobile Bay, in Baldwin County, Ala., on a direct line, to a point on Blakely Island, in Mobile County, on the east shore of Mobile River, opposite the municipal docks of the city of Mobile, Ala., are hereby extended one and three years, respectively, from the date of approval hereof.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER pro tempore. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

## SENATE BILLS REFERRED.

Under clause 2, Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 3855. An act to quiet the title to lands within Pueblo Indian land grants, and for other purposes; to the Committee on Indian Affairs.

S. 4245. An act to provide the necessary organization of the customs service for an adequate administration and enforcement of the tariff act of 1922 and all other customs revenue laws; to the Committee on Ways and Means.

## SURVEY OF INTRACOASTAL WATERWAY IN LOUISIANA AND TEXAS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 13246) for the examination and survey of the Intracoastal Canal from the Mississippi River at or near New Orleans, La., to Corpus Christi, Tex.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

Mr. DUPRE. Mr. Speaker, I ask unanimous consent that the Senate bill on the Speaker's table, identical with the House bill, be considered.

The SPEAKER pro tempore. The gentleman from Louisiana asks unanimous consent to consider Senate bill 4211 in lieu of the House bill, being an identical bill. Is there objection?

Mr. STAFFORD. Mr. Speaker, on the assurance they are identical I shall not object.

Mr. DUPRE. I desire to say to the gentleman that in all instances that I make any statements they are true. [Laughter.]

The SPEAKER pro tempore. The Clerk will report the Senate bill.

The Clerk read as follows:

An act (S. 4211) authorizing preliminary examination and survey to be made of the Intracoastal Waterway in Louisiana and Texas.

*Be it enacted, etc.,* That the Secretary of War be, and he is hereby, authorized and directed to cause an examination and survey to be made of the Intracoastal Waterway from the Mississippi River at or near New Orleans, La., to Corpus Christi, Tex.

The bill was ordered to be read the third time, was read the third time, and passed.

Mr. DUPRE. I ask that the House bill lie on the table.

The SPEAKER pro tempore. Without objection, that order will be made.

There was no objection.

Mr. ROACH. Mr. Speaker, I ask unanimous consent to return to Calendar 543, objected to by the gentleman from Texas [Mr. BLANTON], and ask that gentleman if he will not withdraw his objection.

Mr. STAFFORD. Mr. Speaker, I demand the regular order. We desire to finish the Unanimous Consent Calendar.

Mr. BLANTON. I object.

The SPEAKER pro tempore. The regular order is demanded which is equivalent to an objection. The Clerk will report the next bill.

## ENROLLED BILLS AND JOINT RESOLUTION SIGNED.

Mr. RICKETTS, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills and joint resolution of the following titles, when the Speaker pro tempore signed the same:

H. J. Res. 453. Joint resolution requesting the President to urge upon the governments of certain nations the immediate necessity of limiting the production of habit-forming narcotic drugs and the raw materials from which they are made to the amount actually required for strictly medicinal and scientific purposes;

H. R. 5018. An act to authorize the widening of First Street NE., and for other purposes; and

H. R. 13554. An act authorizing the construction, maintenance, and operation of a dam and appurtenant intake and outlet structures across or in the Potomac River at or near Williamsport, Washington County, Md.

The SPEAKER pro tempore announced his signature to enrolled bills of the following titles:

S. 4583. An act granting the consent of Congress to the State of South Dakota for the construction of a bridge across the Missouri River between Charles Mix County and Gregory County, S. Dak.;

S. 4197. An act to authorize the Secretary of the Interior to issue to certain persons and certain corporations permits to explore, or leases of, certain lands that lie south of the medial line of the main channel of Red River, in Oklahoma, and for other purposes; and

S. 4579. An act to authorize the Lee County bridge district No 2, in the State of Arkansas, to construct a bridge over the St. Francis River.

## RELIEF OF CITY OF ASTORIA, OREG.

The next business on the Calendar for Unanimous Consent was the joint resolution (H. J. Res. 449) for the relief of the city of Astoria, Oreg.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. I object.

Mr. HAWLEY. Mr. Speaker, I ask unanimous consent to extend my remarks on this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oregon? [After a pause.] The Chair hears none.

Mr. HAWLEY. Mr. Speaker, the resolution authorizes the Secretary of the Treasury to loan to the city of Astoria, Oreg., not to exceed \$1,063,000 for the purpose of enabling the city to rebuild the area devastated by the conflagration of December 8, 1922. The loan is to the municipality, to be used for municipal purposes. It is not to be used in any way for the reconstruction of private property or for the benefit of individuals. For more than a hundred years Congress has given aid to stricken cities and communities according to their several needs. The neces-

sity for the relief proposed for Astoria is apparent from the statement of facts: On December 8, 1922, a fire devastated some 34 blocks, covering about 40 acres, comprising the entire business area of the city. More than 500 buildings were destroyed, including the 5 banks and all the hotels. So fierce was the conflagration that buildings considered fireproof were unable to resist the power of the flames. This great area is now a crater filled with the debris of the fire and the wrecks of the buildings, streets, and sidewalks—practically a total loss.

The city of Astoria is built on the south bank of the Columbia River about 12 miles east of the entrance. It is located on what was originally a tidal flat, formerly submerged at high tide to the depth of about 30 feet. It is the only practicable location on the river in that section. The city was first built on piling from the harbor line to the foot of the steeply sloping hills. Formerly the tide ebb and flowed under this entire burned area.

Some years ago the city, in order to establish a modern sewage system that would discharge at all stages of the tide, constructed a bulkhead along the water front and filled in the area to the top of the bulkhead. The property owners were then required to raise their buildings 9 feet to the established street level. The main floors of the buildings and the streets and sidewalks were 9 feet above the level of the fill. The streets were constructed on bridge work set on the pilings which were flush with the top of the fill and decked over with planking. Upon this planking this asphalt pavement was laid and concrete sidewalks constructed. The city intended to complete the filling of the streets up to the street level as soon as the condition of its finances permitted. While many of the buildings were of substantial construction and a number supposed to be fireproof, the majority were made of wood, as is natural in a heavily timbered country. The city had installed water and fire systems expected to be sufficient to provide safety and which for a number of years had so proved. The fire, which broke out at 2 o'clock on the morning of December 8, 1922, spread with great rapidity. It attacked the water and fire systems, spread under and through the buildings, and under the streets with such fierceness that the fire department of Astoria, which received prompt assistance from Portland and from boats along the water front, could not control it.

On December 7, 1922, Astoria was a thriving and prosperous city provided with modern improvements. Before the close of December 8, the heart of the city had been destroyed. Its sewage and water systems were seriously injured, its streets and sidewalks burned or wrecked, and its business houses were charred and crumbling walls. Nothing of value remained in the burned section. The value of its lots had been reduced to about 2 per cent of their previous assessed valuation.

Before this burned area can be rebuilt it will be necessary to reconstruct the sewage and water systems, build substantial retaining walls around each block, fill in the streets between the walls with dredged material from the river, and pave the streets and lay sidewalks. Until the necessary and essential things are done, no capital can be obtained to enable the property owners to reconstruct their buildings. When the insurance adjusters from New York, Chicago, St. Louis, and San Francisco came to adjust the losses, the city officials, with them, made a careful estimate of the losses and found them to be in excess of \$11,000,000. The value of each building, of all stocks of goods, fixtures, and other property within the burned area, was appraised in arriving at this amount. Many think, with good reason, that the loss was much greater.

The city of Astoria, in order to provide the things essential for a modern city, has issued bonds and incurred bonded obligations as follows: For school purposes, \$277,500; for sewage and water systems, streets, sidewalks, and other city purposes, \$3,852,685.55. The property of the city was also liable for its proportion of the bonds issued by the port of Astoria for the construction of modern docks and other port improvements, and for the bonds issued for the construction of roads in Clatsop County, in which the city is located. These two latter items combined placed a bonded obligation upon the city of \$1,423,709.77. The total bonded liability of the property within the city was, therefore, \$5,553,895.32. Upon this bonded obligation there is an interest charge of over \$330,000 per annum.

The assessed valuation of all property within the city limits prior to the fire was \$11,358,469, so that previous to the conflagration the bonded liability of the city was 49 per cent of its assessed valuation. With the total destruction of the buildings and contents within the burned area and the consequent depreciation of the value of the real estate within it, because of its inaccessibility under present conditions, and the consequent decline of the values of other property in the city, the bonded indebtedness is now so nearly equal to the present value of all

property within the city as to deprive it of the ability to sell further bonds for reconstruction purposes through the ordinary investment channels. If the city had any basis for commercial credit no application for relief would now be presented here. The city has no intention of repudiating its bonded indebtedness nor of attempting to evade in any manner the payment of the principal and interest. Its citizens desire to rebuild and have been assured by banks in Portland and other places of loans of sufficient amount to enable them to construct substantial buildings when the work above described has been accomplished. Some four or five buildings are being constructed on the edge of the burned area, but the inaccessibility of all but exceptional spots will prevent the construction of buildings therein until the reconstruction work has been effected. But with the sewage and water systems relaid, retaining walls erected, fill made, streets and sidewalks built, loans will be available for the building of modern houses of business within the burned area. The property owners are all anxious to rebuild. They believe in the future of the city. They are willing to assume the burdens necessary and have no doubt of their ability in due time to meet all their obligations. The docks, wharves, and other improvements of the port were not burned. The resources surrounding the city justify the belief that the citizens will be able to meet the obligations. The important industries of the tributary territory are the fish canneries, the sawmills, dairying, trade, and commerce.

Your committee believes that the Government of the United States should grant this aid. It is not probable that any other case similar in character will ever arise where a city, because of its enterprise, unusual location, and desire to install modern improvements, has obligated itself to such an extent that a devastating fire will leave it in a similar condition.

Astoria was founded in 1811 by John Jacob Astor and is the oldest city in the Pacific Northwest. It had a population of some 16,000 people. It grew rapidly in recent years when the improvements above described were made. There will always be a city on the present site of Astoria. There is no other location suitable for a city in that section. It is essential to trade and commerce, but without the aid proposed in the pending resolution its restoration will be a long process of many weary years.

The following tables and statements from public officials present the facts in a succinct form, relating to the property destroyed in the burned area and the financial condition of the city:

ASTORIA, OREG.	
Reasonable value:	
Buildings destroyed	\$3,450,000
Merchandise destroyed	4,190,000
Other property destroyed	1,550,000
Public-service utilities destroyed	430,000
City property destroyed, including pavements, sidewalks, sewer and water systems, fire system, etc.	1,500,000
Total loss	11,030,000
Area devastated stated to include 34 blocks, covering about 40 acres.	
Assessed value:	
Buildings and merchandise (all destroyed), and of real estate (little value without streets) in the burned area	\$3,563,056
Property outside of the burned area	7,795,413
Total assessed value	11,358,469
Bonded indebtedness.	
School district No. 1	277,500
For city purposes	3,852,685
Liability of city for county road bonds and for bonds of the port of Astoria (29 per cent of the total of such issues)	1,423,709
Total bonded indebtedness	5,553,894
The bonded indebtedness was 49 per cent of the assessed valuation before the fire, and now exceeds present value of the property remaining in the city, since the destruction of the entire business district has caused the property remaining to decline in value.	
Annual interest charge on the bonded indebtedness, over \$330,000.	
Insurance on buildings destroyed, \$600,000, or 17.4 per cent of their reasonable value.	
Insurance on other property destroyed, exclusive of public utilities and city improvements and property, \$1,650,000, or 29.2 per cent of its reasonable value.	
RECONSTRUCTION.	
What it is necessary to do to rebuild the city, which the city is unable to do, as it has no credit, and its citizens are not able to do, since until reconstruction work is done they have no credit.	
Reconstruction of sewers	\$101,242
Reconstruction of water system	72,907
Retaining walls	453,552
Fill	26,041
Paving streets	167,590
Sidewalks	240,225
Total	1,063,557

[Telegram.]

ASTORIA, OREG., January 4, 1923.

Hon. W. C. HAWLEY,

House of Representatives, Washington, D. C.:

In compliance with your telegram of the 3d instant, the executive committee met with property owners and insurance adjuster on the ground now adjusting and paying our fire losses and hereby certify the facts to be: First, the total reasonable value of the buildings destroyed by such fire is \$3,450,000; second, total reasonable value of merchandise, furnishings, fixtures, libraries, etc., including property of all kinds, exclusive of buildings above mentioned, as follows: Merchandise, \$4,100,000; furniture, fixtures, and libraries, \$1,550,000; third, public service utilities, \$430,000; fourth, city properties, including streets, water systems, sewers, fire system and appliances, \$1,500,000; grand total, \$11,030,000; fifth, total insurance, \$2,250,000.

Col. W. S. Gilbert, chairman; A. B. Everts, T. C. Shanlund, W. M. Patterson, W. G. Lloyd, E. R. Thompson, E. T. V. Ettlinger, E. G. Ford, adjusters on the ground.

## CITY OF ASTORIA, CLATSOP COUNTY, OREG.

INDEBTEDNESS NOVEMBER 30, 1922, EXCLUSIVE OF COUNTY, PORT, WATER, AND SCHOOL DEBT.

City of Astoria proper:		
Municipal bonded debt	\$953,000.00	
Fire department bonds	13,500.00	
District improvement bonded debt		\$1,208,762.91
Floating debt		
General fund	89,666.42	
Special fund		216,095.22

Total municipal general debt, 1,056,166.42

Sanitary and reclamation commission of the city:

Municipal bonded debt	300,000.00	
District improvement bonded debt		303,300.00
Floating debt, district warrants		13,161.25

Total general obligation of city, 1,356,166.42

Total district or special obligation becoming general obligation upon default of district or system, 1,741,319.38

I hereby certify that the foregoing statement is true and correct and from the records of the city of Astoria, in my office and in my custody. Dated at Astoria, Oreg., December 29, 1922.

[SEAL.]

E. G. GEARHARD,  
Auditor and Police Judge of the City of  
Astoria, Clatsop County, Oreg.

ASTORIA PUBLIC SCHOOLS,  
Astoria, Oreg.

STATE OF OREGON,  
County of Clatsop, ss:

This is to certify that I am the duly elected, qualified, and acting clerk of school district No. 1, Clatsop County, Oreg., and the custodian of all books, records, and papers of the said district; that the outstanding indebtedness of the said district at this date is as follows:

Outstanding bonds	\$218,000
Outstanding building warrants	59,500

Total indebtedness, 277,500

In witness whereof, I hereunto set my hand on behalf of the said district this 29th day of December, 1922.

W. A. SHERMAN, District Clerk.

THE WATER COMMISSION,  
Astoria, Oreg.

To whom it may concern:

We hereby certify that the indebtedness of the water commission of the city of Astoria, Oreg., as shown by our trial balance of November 30, 1922 (exclusive of monthly pay rolls and bills), was as follows:

Outstanding bonds	\$852,000.00
Less sinking fund	96,800.00

Net indebtedness, 755,199.75

Dated at Astoria, Oreg., December 29, 1922.

[SEAL.]

THE ASTORIA WATER COMMISSION,  
By G. W. LOUNSBERRY, Clerk.

PORT OF ASTORIA, Astoria, Oreg.

The bonded indebtedness of the port of Astoria December 28, 1922, is \$4,130,000.

I hereby certify that the amount of bonded indebtedness as stated above is correct, according to the records of the port of Astoria.

[SEAL.]

R. R. BARTLETT,  
Manager Port of Astoria.

Subscribed and sworn to before me this 28th day of December, 1922.

[SEAL.]

C. L. HESS,

Notary Public for Oregon.

My commission expires August 8, 1924.

STATEMENT OF INDEBTEDNESS OF CLATSOP COUNTY, OREG., ON THE 30TH DAY OF NOVEMBER, 1922.

To general fund warrants outstanding	\$373,386.68
Cash in fund to redeem same	23,508.43

To general fund warrants outstanding in excess of cash on hand to redeem same	349,878.25
To naval base warrants outstanding	6,864.73
To bonds outstanding	443,000.00

Total, 799,742.98

STATE OF OREGON, County of Clatsop, ss:

I, J. C. Clinton, county clerk and clerk of the county court of the county and State aforesaid, do hereby certify that the foregoing is a full, true, and correct statement of the indebtedness of Clatsop County, Oreg., on the 30th day of November, A. D. 1922, as the same appears from the books at my office and in my custody.

In testimony whereof I have hereunto set my hand and affixed the seal of the county court this 29th day of December, A. D. 1922.

[SEAL.]

J. C. CLINTON, County Clerk.

ASTORIA, OREG., December 16, 1922.

ADJUTANT GENERAL UNITED STATES ARMY.

Washington, D. C.:

Under requirements of paragraph 2, Regulations 67, War Department, 1921, governing relief work, report as follows: Conflagration of city of Astoria on December 8 completely destroyed 34 blocks in the business section of the city, area about 40 acres. Estimated damage about \$20,000,000. Number of people seriously affected, 5,000.

Relief measures taken by local authorities as follows: National Guard field kitchens on ground for first meal. All welfare societies in operation at once. People were housed and fed from the very moment of crisis by emergency funds and supplies and contributions, which came in at once from neighboring cities—Portland mostly, National Red Cross, and Fort Stevens.

Restorative measures are beyond power of the municipality and State. The municipality is absolutely bankrupt through previous heavy issues of bonds for former street, municipal, and port terminals.

Guarding of city now done by detachments from United States ship *Yarborough*, Coast Guard cutter *Algonquin*, volunteer Legion men, municipal police assisted by sworn deputies.

Presence of Regular troops not necessary.

Rations and quartermaster supplies not required of Army.

Immediate relief work as follows is recommended: The construction by the United States Government of bulkheads for streets in the affected district, the same to be filled by sand dredged from the harbor along the Astoria water front, which in places is in need of deepening.

The restoration also of the sewer, water, and electric fire system. This latter work, as stated above, can not be done by this bankrupt city and is absolutely necessary before the devastated district, which comprises entirely all of the business section of town, can be reconstructed by the municipality or people of Astoria.

The rehabilitation refers to municipal work only—streets, water, and sewerage systems, together with fire and police wiring. No portion is for property owned by private individuals.

Detailed report by engineer officer follows.

Estimated cost, one million and a quarter.

T. M. ANDERSON,  
Colonel Second Infantry.

There was insurance on the buildings in the burned area of \$600,000, and on stocks, fixtures, etc., \$1,650,000; but as the merchants had in their Christmas stocks, as well as other considerable staple stocks, since business was good, it has taken nearly all the insurance money to liquidate the balances unpaid upon them.

The Legislature of the State of Oregon has passed legislation authorizing the remission of the taxes on the property in the city for a period of seven years, which relief will amount to nearly \$500,000.

Every stricken city and community in this country has been aided by the Government, even when their necessities were not as dire as those of Astoria. We gave \$2,500,000 to San Francisco; we gave \$800,000 to Italy for relief purposes when volcanic eruptions had wrought disaster. A partial list of the acts of Congress providing relief for sufferers on account of fires, floods, earthquakes, etc., is given below:

Relief granted by Congress to sufferers on account of fires, floods, earthquakes, etc.

	Amount.	Date.	Statutes at Large.
Venezuela, earthquake in	\$50,000.00	May 8, 1812	Vol. 2, p. 730.
New Madrid, Missouri Territory, authority to select a like amount of public land, etc.		Feb. 17, 1815	Vol. 3, p. 211.
New York City, sufferers from fire to be relieved from paying certain duties.		Mar. 19, 1836	Vol. 5, p. 6.
Florida, rations to be given sufferers from Indian depredations in.	Indefinite.	Feb. 1, 1836	Vol. 5, p. 131.
Portsmouth, N. H., sufferers from fire to be relieved from paying duties on merchandise.		Feb. 19, 1803	Vol. 6, p. 49.
Norfolk, Va., sufferers from fire given extension of time within which to pay certain duties.		Mar. 19, 1804	Vol. 6, p. 53.
Alexandria, Va., for relief of sufferers from fire.	20,000.00	Jan. 24, 1827	Vol. 6, p. 356.
Ireland, authority to use U. S. S. Macedonian for transportation of supplies to sufferers in Ireland.		Mar. 3, 1847	Vol. 9, p. 207.
Minnesota, relief of persons damaged by Indian depredations in.	200,000.00	Feb. 16, 1863	Vol. 12, p. 632.
District of Columbia Arsenal, relief of sufferers from explosion in cartridge factory.	2,000.00	July 4, 1864	Vol. 13, p. 416.
Portland, Me., relief of sufferers from fire, certain articles admitted free of duty.		July 4, 1866	Vol. 14, p. 304.
District of Columbia Arsenal, relief of sufferers from explosion.	2,500.00	Mar. 17, 1866	Vol. 14, p. 351.

Relief granted by Congress to sufferers on account of fires, floods, earthquakes, etc.—Con.

	Amount.	Date.	Statutes at Large.
Portland, Me., relief granted in payment of taxes of citizens who suffered from fire at.		July 27, 1866	Vol. 14, p. 369.
Southern States:			
Authority given to use public vessels in transportation of supplies to.		Feb. 22, 1867	Vol. 14, p. 567.
Authority given to charter vessels for the transportation of supplies.		Mar. 29, 1867	Vol. 15, p. 24.
South, Secretary of War authorized to issue supplies of food to sufferers in.		Mar. 30, 1867	Vol. 15, p. 28.
Southern States, purchase of seeds for distribution.	\$50,000.00	do.	Do.
South, authority given to Secretary of War to distribute certain food supplies.		Jan. 31, 1868	Vol. 15, p. 246.
France and Germany, authority given to use naval vessels for the transportation of supplies to the destitute and suffering peoples of.		Feb. 10, 1871	Vol. 16, p. 506.
Chicago, Ill.:			
Relief of sufferers from fire at.	Indefinite.	Apr. 5, 1872	Vol. 16, p. 31.
Relief of postmaster at, on account of loss due to fire.	Indefinite.	Mar. 12, 1872	Vol. 16, p. 646.
Mississippi River flood sufferers, President authorized to issue supplies of food and clothing to.	Indefinite.	Apr. 23, 1874	Vol. 18, p. 34.
Sufferers from ravages of grasshoppers, purchase of seeds for.	30,000.00	Jan. 25, 1875	Vol. 18, p. 303.
Mississippi flood sufferers, relief of.	190,000.00	May 13, 1874	Vol. 18, p. 45.
Sufferers from ravages of grasshoppers, purchase of seeds for.	150,000.00	Feb. 10, 1875	Vol. 18, p. 314.
Yellow fever, refrigerating ships for disinfection of vessels and canoes on account of.	200,000.00	Apr. 18, 1879	Vol. 1, p. 21.
Colored immigrants, articles for relief of, to be admitted free.		Mar. 5, 1880	Vol. 21, p. 66.
Ireland, Secretary of Navy authorized to use naval vessels for transportation of supplies to.		Feb. 25, 1880	Vol. 21, p. 303.
Macon, Miss., Secretary of War authorized to send 4,000 rations to cyclone sufferers.		May 4, 1880	Vol. 21, p. 306.
Mississippi River flood sufferers:			
Purchase of seeds for.	20,000.00	Apr. 11, 1882	Vol. 22, p. 44.
Relief of destitute.	100,000.00	Feb. 25, 1882	Vol. 22, p. 378.
Secretary of War authorized to use hospital tents for.		Mar. 10, 1882	Do.
Secretary of War authorized to use Government vessels for transportation and distribution of rations.		Mar. 11, 1882	Do.
Furnishing food to.	150,000.00	Mar. 21, 1882	Vol. 22, p. 379.
Purchase and distribution of subsistence stores to.	100,000.00	Apr. 1, 1882	Do.
Ohio River flood sufferers:			
Purchase and distribution of subsistence stores, clothing, etc., to.	300,000.00	Feb. 12, 1884	Vol. 23, p. 267.
Relief of.	200,000.00	Feb. 15, 1884	Vol. 23, p. 268.
Mississippi River flood sufferers, authority to use unexpended balance of \$125,000 of above appropriation to furnish rations to.		Mar. 27, 1884	Vol. 23, p. 269.
Yellow fever and cholera, prevention of.	200,000.00	Sept. 26, 1888	Vol. 25, p. 630.
Yellow fever, eradication of.	100,000.00	Oct. 12, 1888	Vol. 25, p. 631.
Japanese crew, recognition of kind of treatment of.	5,000.00	May 24, 1888	Vol. 25, p. 623.
Arkansas, Mississippi, and Louisiana, purchase of tents for flood sufferers.	25,000.00	Mar. 31, 1890	Vol. 26, p. 33.
Mississippi River flood sufferers:			
Authority to hire boats from appropriation for improvement of Mississippi River to rescue.		Apr. 3, 1890	Vol. 26, p. 670.
Relief of.	150,000.00	Apr. 21, 1890	Vol. 26, p. 671.
Oklahoma, certain unexpended balances made available for the relief of citizens of made destitute by drought.		Sept. 1, 1890	Vol. 26, p. 679.
Potomac River, removal of ice gorge.	5,000.00	Feb. 15, 1895	Vol. 28, p. 969.
Ford Theater disaster:			
Payment to heirs of legal representatives of persons killed in.	125,000.00	Mar. 2, 1895	Vol. 28, p. 932.
Payment to employees on account of.	131,550.00	June 8, 1895	Vol. 29, p. 273.
India:			
Authority to transport supplies to poor of.		Feb. 19, 1897	Vol. 29, p. 701.
Use of vessels authorized to aid suffering of poor.		June 1, 1897	Vol. 30, p. 219.
Mississippi River flood sufferers, relief of.	200,000.00	Apr. 7, 1897	Do.
Cuba, relief of United States citizens in.	50,000.00	May 24, 1897	Vol. 30, p. 220.
Maine, U. S. S., payment to sufferers on account of destruction of.		Mar. 30, 1898	Vol. 30, p. 346.
District of Columbia, prevention of spread of contagious diseases.	50,000.00	Feb. 28, 1899	Vol. 30, p. 1390.
San Francisco, Calif.:			
Relief of sufferers from earthquake.	1,000,000.00	Apr. 19, 1906	Vol. 34, p. 827.
Do.	1,500,000.00	Apr. 24, 1906	Vol. 34, p. 828.
Jamaica, relief of sufferers from earthquake and fire.	(1)	June 18, 1906	Vol. 34, p. 830.

(1) Clothing, food, etc., from naval stores.

Relief granted by Congress to sufferers on account of fires, floods, earthquakes, etc.—Con.

	Amount.	Date.	Statutes at Large.
Alabama, Arkansas, Georgia, Louisiana, Mississippi, Tennessee, Texas, relief of cyclone sufferers.	\$250,000.00	May 11, 1908	Vol. 35, p. 572.
Italy, relief of citizens of.	800,000.00	Jan. 5, 1909	Vol. 35, p. 584.
Ohio River, removal of ice gorges.	10,000.00	Jan. 19, 1910	Vol. 36, p. 873.
Costa Rica, sufferers from earthquake.	(1)	May 13, 1910	Vol. 36, p. 367.
Imperial Valley, Calif., protection of lands and property from Colorado River.	1,000,000.00	June 25, 1910	Vol. 36, p. 883.
China, relief of famine sufferers.	50,000.00	Feb. 10, 1911	Vol. 36, p. 919.
Mississippi Valley, relief of flood sufferers in.	1,239,179.00	May 9, 1912	Vol. 37, p. 633.
Mississippi River, between Head of Passes and Cape Girardeau, maintaining and protecting levees against floods.	350,000.00	Apr. 3, 1912	Vol. 37, p. 78.
Mississippi River and tributaries: Maintaining and protecting levees against impending floods.	300,000.00	Apr. 16, 1912	Vol. 37, p. 85.
Authority to use \$1,500,000 for repair, improvement, and strengthening levees against floods.		Apr. 30, 1912	Vol. 37, p. 633.
Middle West flood sufferers, reimbursement to Life Saving Service appropriation for aid to.	5,000.00	Oct. 22, 1913	Vol. 28, p. 211.
Mississippi and Ohio Valleys, Peach Tree, Alabama, and Nebraska relief of sufferers from floods, tornadoes, and conflagrations, reimbursement of War Department appropriations.	654,448.49	do.	Vol. 38, p. 215.
Action of the President in extending aid from various appropriations ratified.		do.	Vol. 38, p. 216.
Mississippi Valley flood sufferers, 1913:			
Credit in account of certain river and harbor appropriations for expenditures.	34,192.35	do.	Do.
Medical supplies, action of the President in issuing ratified.	8,239.40	do.	Do.
Flood sufferers in Ohio and Indiana and the Ohio and Mississippi Rivers, reimbursement to certain naval appropriations for relief.	130,940.38	Oct. 22, 1913	Vol. 38, p. 215.
Salem, Mass., relief to sufferers from fire at (expended, \$47,140.10).	200,000.00	Aug. 1, 1914	Vol. 38, p. 681.
Paris, Tex., relief to sufferers from fire at.	(2)	Apr. 11, 1916	Vol. 39, p. 50.
North Carolina, South Carolina, Georgia, Alabama, Tennessee, Florida, and Mississippi flood sufferers, supply of seeds to be furnished, and Army supplies by Quartermaster and Medical Departments of the Army.	540,000.00	Aug. 3, 1916	Vol. 39, p. 434.
West Virginia, relief of flood sufferers (provisions of resolution, appropriation just above extended to West Virginia).	540,000.00	Aug. 24, 1916	Vol. 39, p. 534.

(1) Tents, blankets, etc., by Army, Navy, and Panama Canal.

(2) Tents, cots, etc., and supplies to be furnished by War Department.

In addition to the above we have in recent years loaned very considerable sums of money to agricultural sections for the purchase of grain. We have loaned to various nations of Europe since the World War many millions of dollars for relief purposes. We gave also \$3,000,000 for the relief of the Philippines.

It seems to me that in view of all the circumstances, and the fact that the Government has hitherto aided stricken cities and communities, this bill should be passed, and the loan, which will surely be duly repaid, be made to this sorely distressed community.

## EXTENDING RETIREMENT ACT TO PANAMA CANAL EMPLOYEES.

The next business on the Calendar for Unanimous Consent was the bill (S. 4167) to amend an act entitled "An act for the retirement of employees in the classified civil service, and for other purposes," approved May 22, 1920, in order to extend the benefits of said act to certain employees in the Panama Canal Zone.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. STAFFORD. I ask that it may be passed.

The SPEAKER pro tempore. Is there objection to the bill being passed? [After a pause.] The Chair hears none.

## AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES.

The next business on the Calendar for Unanimous Consent was the joint resolution (S. J. Res. 253) proposing an amendment to the Constitution of the United States, fixing the commencement of the terms of President and Vice President and

Members of Congress, and fixing the time of the assembling of Congress.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection to the present consideration of this joint resolution?

Mr. BLANTON. I object.

Mr. ANDREWS of Nebraska. Mr. Speaker, I move to suspend the rules and pass the resolution according to the report.

The SPEAKER pro tempore. The Chair does not recognize the gentleman for that purpose. The Clerk will report the next bill.

Mr. ANDREWS of Nebraska. I make the point of order that there is no quorum present.

Mr. BLANTON. I make the point of order that that is dilatory.

The SPEAKER pro tempore. The Chair will count.

Mr. HERRICK. I move that the House recess until 8 o'clock.

The SPEAKER pro tempore. That motion is not in order.

Mr. HERRICK. Well, I make the motion that we do now adjourn.

Mr. ANDREWS of Nebraska. Mr. Speaker, I withdraw the question of a quorum.

The SPEAKER pro tempore. The Clerk will report the next bill.

Mr. RAKER. Mr. Speaker, I ask unanimous consent that the Joint Resolution 441 may remain on the calendar. That is the resolution regarding silver.

The SPEAKER pro tempore. The gentleman from California asks unanimous consent that the resolution referred to may retain its place on the calendar. Is there objection?

Mr. BLANTON. Mr. Speaker, for the present, I object.

#### POST OFFICE SITE, TAMAQUA, PA.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 9597) relating to the title to land to be acquired as a site for a post office building at Tamaqua, Pa.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. HERRICK. Mr. Speaker, I object. The other post office bill has been objected to, and unless that goes on I will object.

The SPEAKER pro tempore. The Clerk will report the next bill.

#### COMPENSATION OF INJURED EMPLOYEES.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 14226) to amend an act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Mr. Speaker, I request that this bill be passed over without losing its place on the calendar.

The SPEAKER pro tempore. The gentleman from Wisconsin asks unanimous consent that this bill be passed over without losing its place on the calendar. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the next bill.

#### MEMORIAL TO JOSEPH J. DARLINGTON.

The next business on the Calendar for Unanimous Consent was the resolution (S. J. Res. 240) authorizing the erection, on public grounds, of a memorial to the late Joseph J. Darlington.

The title of the resolution was read.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

*Resolved, etc., That the Chief of Engineers, United States Army, be, and is hereby, authorized and directed to select a suitable site and to grant permission for the erection on public grounds of the United States in the city of Washington, D. C., other than those of the Capitol, the Library of Congress, the White House, and the Mall, of a memorial to the late Joseph J. Darlington, a leader of the Washington bar, as a gift to the people of the city of Washington: Provided, That the site chosen and the design of the memorial shall be approved by the Joint Library Committee of Congress, with the advice of the Commission of Fine Arts; that it shall be erected under the supervision of the Chief of Engineers, and that the United States shall be put to no expense in or by the erection of the said memorial.*

Mr. CRAMTON. Mr. Speaker, I offer an amendment. Page 2, line 3, after the word "erection," insert the words "or maintenance."

The SPEAKER pro tempore. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. CRAMTON: Page 2, line 3, after the word "erection," insert the words "or maintenance."

Mr. CRAMTON. Mr. Speaker, I understand it is not proposed to erect a fountain that will cost the Government \$2,000 or \$3,000 a year to operate, but to guard against this I offer the amendment.

The SPEAKER pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the third reading of the Senate resolution as amended.

The Senate joint resolution as amended was ordered to be read a third time, was read the third time, and passed.

The SPEAKER pro tempore. The Clerk will report the next bill.

#### EMBASSY IN PARIS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 14287) to authorize the Secretary of State to acquire in Paris a site, with an erected building thereon, at a cost not to exceed \$300,000, for the use of the diplomatic and consular establishments of the United States.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection?

Mr. BLANTON. I object.

Mr. VOLSTEAD. Mr. Speaker, will the gentleman withhold his objection?

Mr. FAIRCHILD. Will the gentleman from Texas withhold his objection for a moment?

Mr. BLANTON. I do not think it would be fair. I intend to object.

Mr. MONDELL. If the objection is made, I hope it will be made now.

Mr. BLANTON. I intend to make it, but I will withhold it if the gentleman wants to speak about it.

The SPEAKER pro tempore. The Clerk will report the next bill.

#### AMENDMENT OF THE DAYLIGHT SAVING LAW.

The next business on the Calendar for Unanimous Consent was the bill (S. 574) to amend an act entitled "An act to save daylight and to provide standard time for the United States," as amended.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection?

Mr. BLANTON. I object.

Mr. SMITH of Idaho. Mr. Speaker, will the gentleman reserve his objection and permit me to explain the bill?

Mr. BLANTON. I will reserve it if the gentleman will get permission to proceed on that side, but he is not going to get permission to proceed.

Mr. SMITH of Idaho. This is exceedingly important legislation, Mr. Speaker. All the people in the State of Idaho are exceedingly desirous of having it enacted. It transfers southern Idaho from the Pacific to the Mountain time zone, where it was prior to March 19, 1918, when the daylight saving law was enacted. The railroad operators, as well as the Rotary, Kiwanis, and other commercial clubs in the various towns and cities, as well as city councils in southern Idaho, have been appealing for the change proposed.

Mr. BLANTON. Why do not the people in Idaho do as they do in New York and New Jersey—fix their clocks to suit themselves?

Mr. STAFFORD. Will the gentleman from Texas yield in that particular?

Mr. BLANTON. I have not the floor.

Mr. STAFFORD. Some years ago—I can not recall just when—we fixed regional sections where the railroad time should begin and end. This is merely to include some portions of the railroad time that was left out. It has nothing to do with the proposal for daylight saving.

Mr. BLANTON. I know exactly what it is intended to do, I object.

Mr. FAIRCHILD. Mr. Speaker, I ask unanimous consent that the bill (H. R. 14287) in regard to the site for an embassy at Paris may retain its place on the calendar.

Mr. SMITH of Idaho. Mr. Speaker, I make the same request with respect to the bill S. 574, Calendar No. 553.

The SPEAKER pro tempore. The gentleman from New York asks unanimous consent that Calendar No. 552 retain its place on the calendar, and the gentleman from Idaho makes a similar request with respect to Calendar No. 553. Is there objection?

Mr. BLANTON. Which two bills?

Mr. SMITH of Idaho. Nos. 552 and 553 on the calendar.

The SPEAKER pro tempore. One relating to daylight saving and the other to the embassy at Paris.

Mr. BLANTON. So far as the embassy building is concerned, I object. To the other, I do not.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Idaho that the bill S. 574 retain its place on the calendar?

There was no objection.

The SPEAKER pro tempore. Objection is made to the request of the gentleman from New York [Mr. FAIRCHILD].

Mr. ANDREWS of Nebraska. Mr. Speaker, I ask unanimous consent to return to Calendar No. 548.

#### COTTON STATISTICS.

The SPEAKER pro tempore. The Clerk will report the next bill.

The next business on the Calendar for Unanimous Consent was the bill (S. 3757) authorizing the Department of Commerce to collect and publish additional cotton statistics and information.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I would like to inquire of the gentleman reporting this bill, where is the constitutional warrant to compel private individuals to furnish data, such as this bill requires, to the Census Bureau?

Mr. FAIRCHILD. The Census Bureau holds the data they take inviolate.

Mr. STAFFORD. In the last Congress, when I was not present, as everyone knows, a bill was passed requiring leather users to furnish statistics as to the amount of leather on hand. It required private leather manufacturers to go to the expense of furnishing data every month. I wish to inquire where is the constitutional warrant that gives the Government the right to imprison the manufacturer who refuses to furnish this information?

Mr. FAIRCHILD. By an amendment passed, that privilege was taken out.

Mr. STAFFORD. But you want to fine those who fail to furnish this information. I think you are going pretty far when you are trying to compel a private party to furnish information as to his private affairs under the guise of census taking, and I would like to ascertain from some one the reasons that would justify such procedure.

Mr. WYANT. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is made.

Mr. SMITH of Idaho. Mr. Speaker, I ask unanimous consent to return to the consideration of Calendar No. 553.

Mr. FAIRFIELD. Mr. Speaker, there was no objection to my bill.

Mr. WYANT. I objected.

The SPEAKER pro tempore. The gentleman from Idaho asks unanimous consent to return to Calendar No. 553, Senate 574. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

An act (S. 574) to amend an act entitled "An act to save daylight and to provide standard time for the United States," as amended.

*Be it enacted, etc.,* That an act entitled "An act to save daylight and to provide standard time for the United States," approved March 19, 1918, as amended, be, and the same hereby is, further amended by adding thereto after section 2 and before section 4, an additional section to be known as section 3, as follows:

"Sec. 3. In the division of territory, and in the definition of the limits of each zone, as hereinbefore provided, so much of the State of Idaho as lies south of the Salmon River, traversing the State from east to west near 45 degrees 30 minutes latitude shall be embraced in the third zone."

The bill was ordered to be read a third time, was read the third time, and passed.

#### REPRESSION OF PROSTITUTION.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 11490) to enlarge the powers and duties of the Department of Justice in relation to the repression of prostitution for the protection of the armed forces.

The Clerk read the title to the bill.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

Mr. MOORES of Indiana. Mr. Speaker, I ask that the bill be passed over.

The SPEAKER pro tempore. The gentleman from Indiana asks unanimous consent that the bill be passed over.

Mr. RAKER. Let us dispose of the bill. It ought to be passed by the House; there is no objection to it.

Mr. MOORES of Indiana. Then I object.

Mr. SUMNERS of Texas. Does the gentleman object to the bill retaining its place on the calendar?

Mr. STAFFORD. Mr. Speaker, I demand the regular order. The SPEAKER pro tempore. The regular order is, Is there objection?

Mr. MOORES of Indiana. I object.

The SPEAKER pro tempore. The gentleman from Indiana objects, and the Clerk will report the next bill on the calendar.

Mr. GARRETT of Tennessee. Mr. Speaker, I ask unanimous consent to speak out of order for one minute.

The SPEAKER pro tempore. The gentleman from Tennessee asks unanimous consent to speak out of order for one minute. Is there objection?

There was no objection.

Mr. GARRETT of Tennessee. Mr. Speaker, if I may have the attention of the gentleman from Wyoming, I think there will be no objection to meeting at 11 o'clock to-morrow, if the gentleman should desire to make such a request. I am very doubtful whether the requests that are now being made are receiving the consideration that they ought to receive, but it occurs to me that in view of circumstances that exist, known to all of us, the hour has about arrived when we should adjourn.

Mr. MONDELL. Mr. Speaker, I should like to go through with the calendar. It will take but a few moments more. Bills that are objected to can go back on the calendar and we ought to be able to finish in half an hour, and then I would like to adjourn until 11 o'clock to-morrow.

Mr. GARRETT of Tennessee. What has occurred to me is that the objections that are made to bills are apparently made in temper.

#### MEETING AT 11 O'CLOCK TO-MORROW.

Mr. MONDELL. I hope the gentlemen who have been irritated will calm themselves and let us finish the calendar. It will only take 20 or 25 minutes. I ask unanimous consent, Mr. Speaker, that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow.

The SPEAKER pro tempore. The gentleman from Wyoming asks unanimous consent that when the House adjourns to-day it adjourn to meet at 11 o'clock a. m. to-morrow. Is there objection?

Mr. HERRICK. I will not object to that if the gentleman will assure me that he will not freeze me out of five minutes.

The SPEAKER pro tempore. Is there objection?

Mr. MONDELL. I never froze anyone out.

Mr. HERRICK. Mr. Speaker, with that assurance I withdraw my objection. [Laughter.]

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. FAIRFIELD. Mr. Speaker, I ask unanimous consent to return to Calendar No. 554. I understand there was a misunderstanding that led to the objection.

Mr. WYANT. Mr. Speaker, I withdraw my objection. I misunderstood the character of the bill.

The SPEAKER pro tempore. The gentleman from Indiana asks unanimous consent to return to Calendar No. 554. Is there objection?

Mr. STAFFORD. I do not object to returning if we return under a reservation of objection.

Mr. MONDELL. To return under a reservation of objection at this hour I do not think is a kindness to anyone.

The SPEAKER pro tempore. Is there objection?

Mr. STAFFORD. I object.

Mr. FAIRFIELD. Mr. Speaker, I ask unanimous consent that No. 554 on the Calendar for Unanimous Consent, the bill S. 3757, may be placed back on the calendar without prejudice.

The SPEAKER pro tempore. The gentleman from Indiana asks unanimous consent to place the bill referred to back on the calendar. Is there objection?

There was no objection.

Mr. ANDREWS of Nebraska. Mr. Speaker, I ask unanimous consent that Calendar No. 548 be returned to the calendar.

Mr. BLANTON. Mr. Speaker, I object.

#### COMPENSATION OF CERTAIN INJURED UNITED STATES EMPLOYEES.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 14226) to amend an act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc., That the act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916, be amended as follows:*

That section 40 of said act is amended to read as follows:

"SEC. 40. That wherever used in this act—

"The singular includes the plural and the masculine includes the feminine.

"The term 'employee' includes all civil employees of the United States and of the Panama Railroad Co.

"The term 'commission' shall be taken to refer to the United States Employees' Compensation Commission provided for in section 28.

"The term 'physician' includes surgeons.

"The term 'monthly pay' shall be taken to refer to the monthly pay at the time of the injury.

"The term 'injury' includes, in addition to injury by accident, any disease proximately caused by the employment. Any award made by the Compensation Commission under the act of September 7, 1916, for an injury sustained prior to the passage of this act, shall be valid, if such award would be valid if made in respect to an injury sustained after the passage of this act.

"The term 'compensation' includes the money allowance payable to an employee or his dependents and any other benefits paid for out of the compensation fund."

SEC. 2. That section 37 of said act is amended to read as follows:

"SEC. 37. That if the original claim for compensation has been made within the time specified in section 20, the commission may, at any time, on its own motion or on application, review the award, and, in accordance with the facts found on such review, may end, diminish, or increase the compensation previously awarded, or, if compensation has been refused or discontinued, award compensation. In the absence of fraud or mistake in mathematical calculation, the findings of fact in, and the decision of the commission upon the merits of any claim presented under or authorized by this act shall not be subject to review by any other administrative officer, employee, or agent of the United States."

With the following committee amendment:

Page 2, beginning with line 22, strike out all of section 2.

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

#### AMENDING CHINA TRADE ACT.

The next business on the Calendar for Unanimous Consent was H. J. Res. 455, to amend the China trade act.

The SPEAKER pro tempore. Is there objection to the present consideration of the joint resolution?

Mr. BLACK. Mr. Speaker, I object.

#### CLERKS AND STENOGRAPHERS IN GRAND JURY SESSIONS.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 14984) to amend section 1025 of the Revised Statutes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. HERRICK. Mr. Speaker, I object.

Mr. VOLSTEAD. Mr. Speaker, I wish the gentleman would withdraw his objection. This is a very important proposition and can do no possible harm. It is recommended by two attorneys general.

Mr. HERRICK. Mr. Speaker, I withdraw my objection.

Mr. STAFFORD. Mr. Speaker, I reserve the right to object. I understand this bill is to authorize the presence of clerks and stenographers in grand jury sessions.

Mr. VOLSTEAD. It has been practiced for a number of years, but a question has been raised as to the validity of indictments where that has occurred. It seems to me that no harm can come out of a thing of that kind.

Mr. STAFFORD. What is the necessity for having clerks rather than stenographers present in grand jury sessions?

Mr. VOLSTEAD. The clerks are stenographers, in fact. They appear and take the testimony, and very often by knowing what the testimony is before the grand jury they are able to conduct the case with much less expense, with much more expedition. There ought not to be any objection to this proposition.

Mr. STAFFORD. I thought the recommendation of the department was solely for permitting stenographers rather than clerks.

Mr. VOLSTEAD. They are really clerks.

Mr. STAFFORD. I think the sanctity of the grand jury should be preserved as much as possible and not allow clerks and outsiders to invade those sacred precincts.

Mr. VOLSTEAD. They are employees of the Attorney General's office, and they do, in fact, take the testimony.

Mr. GOLDSBOROUGH. Mr. Speaker, I object.

#### CONTINUING TERMS OF GRAND JURIES.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 14085) to amend section 284 of the Judicial Code of the United States.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. BLANTON. Mr. Speaker, reserving the right to object, is this the bill that provides that grand juries shall not be summoned—

Mr. VOLSTEAD. There is only one change proposed. If at the end of a term the grand jury is in session and is considering a matter, this provides that it may continue and finish that particular matter, so that you would not be compelled to call a new grand jury for the purpose of investigating that particular thing.

Mr. BLANTON. The gentleman had one bill which I thought was a very good bill, which would prevent the summoning of grand juries by the clerk and the marshal until the district attorney approved.

Mr. VOLSTEAD. This is the law as it exists, with one exception.

Mr. BLANTON. And you are reciting the present law as a preamble?

Mr. VOLSTEAD. Simply that the grand jury, if it is engaged in the investigation of a matter, may continue and conclude that after the term of court.

Mr. BLANTON. There is just one objection to that, and I want to get the gentleman's view upon it. We do not want to pass a law that is not a salutary law. Usually when the court is forced to end a term the judge goes somewhere else to open court at another place. That place is sometimes two or three hundred miles distant from where he last held court. What would be the situation after the judge left and went away 200 miles with his grand jury sitting and some witness should come in and refuse to testify? The grand jury would be without process to make him testify.

Mr. VOLSTEAD. Oh, I do not think that is true.

Mr. BLANTON. Things of that kind could arise. I do not think a grand jury should sit when there is no court to direct them or to stand behind them and enforce their orders.

Mr. VOLSTEAD. When the term ends there should be some way of continuing that grand jury investigation.

Mr. BLANTON. Is there any recommendation as to how long the grand jury may sit?

Mr. VOLSTEAD. It may sit to the end of the term.

Mr. BLANTON. I mean in this bill.

Mr. VOLSTEAD. No; except this, that it may only finish the business that has been started.

Mr. BLANTON. That would be a question of opinion as to what it had done. A judge could leave his town and go two or three hundred miles away and that jury could sit until he comes back.

Mr. VOLSTEAD. Oh, there is a limit on that.

Mr. BLANTON. I do not think that this bill should pass. I object.

#### AMENDING SECTION 81 OF THE LAWS RELATING TO THE JUDICIARY.

The next business on the Calendar for Unanimous Consent was the bill (H. R. 14272) to amend section 81 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill?

Mr. STAFFORD. Mr. Speaker, reserving the right to object, I do not see this on the calendar.

The SPEAKER pro tempore. The bill is on the House Calendar.

Mr. STAFFORD. Let the bill be read.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc., That section 81 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911, as amended by the act of February 23, 1916, and the act of April 27, 1916, be, and the same is hereby, amended to read as follows:*

"SEC. 81. The State of Iowa is divided into two judicial districts, to be known as the northern and southern districts of Iowa.

"The northern district shall include the territory embraced on the 1st day of July, 1910, in the counties of Allamakee, Dubuque, Buchanan, Clayton, Delaware, Fayette, Winneshiek, Howard, Chickasaw, Bremer, Blackhawk, Floyd, Mitchell, and Jackson, which shall constitute the eastern division of said district; also the territory embraced on the date last mentioned in the counties of Jones, Cedar, Linn, Iowa, Benton, Tama, Grundy, and Hardin, which shall constitute the Cedar Rapids division; also the territory embraced on the date last mentioned in the counties of Emmet, Palo Alto, Pocahontas, Calhoun, Carroll, Kossuth, Humboldt, Webster, Winnebago, Hancock, Wright,

Hamilton, Worth, Cerro Gordo, Franklin, and Butler, which shall constitute the central division; also the territory embraced on the date last mentioned in the counties of Dickinson, Clay, Buena Vista, Sac, Osceola, O'Brien, Cherokee, Ida, Lyon, Sioux, Plymouth, Woodbury, and Monona, which shall constitute the western division.

"Terms of the district court for the eastern division shall be held at Dubuque on the fourth Tuesday in April and the first Tuesday in December; and at Waterloo on the second Tuesdays in May and September; for the Cedar Rapids division, at Cedar Rapids on the first Tuesday in April and the fourth Tuesday in September; for the central division, at Fort Dodge on the second Tuesdays in June and November; and at Mason City on the fourth Tuesdays in June and November; and for the western division, at Sioux City on the fourth Tuesday in May and the third Tuesday in October.

"The southern district shall include the territory embraced on the 1st day of July, 1910, in the counties of Louisa, Henry, Des Moines, Lee, and Van Buren, which shall constitute the eastern division of said district; also the territory embraced on the date last mentioned in the counties of Marshall, Story, Boone, Greene, Guthrie, Dallas, Polk, Jasper, Poweshiek, Marion, Warren, and Madison, which shall constitute the central division of said district; also the territory embraced on the date last mentioned in the counties of Crawford, Harrison, Shelby, Audubon, Cass, Pottawattamie, Mills, and Montgomery, which shall constitute the western division of said district; also the territory embraced on the date last mentioned in the counties of Adair, Adams, Clarke, Decatur, Fremont, Lucas, Page, Ringgold, Taylor, Union, and Wayne, which shall constitute the southern division of said district; also the territory embraced on the date last mentioned in the counties of Scott, Muscatine, Washington, Johnson, and Clinton, which shall constitute the Davenport division of said district; also the territory embraced on the date last mentioned in the counties of Davis, Appanoose, Mahaska, Keokuk, Jefferson, Monroe, and Wapello, which shall constitute the Ottumwa division of said district.

"Terms of the district court for the eastern division shall be held at Keokuk on the sixth Tuesday after the fourth Tuesday in February and the eighth Tuesday after the third Tuesday in September; for the central division, at Des Moines on the tenth Tuesday after the fourth Tuesday in February and the tenth Tuesday after the third Tuesday in September; for the western division, at Council Bluffs on the fourth Tuesday in February and the sixth Tuesday after the third Tuesday in September; for the southern division, at Creston on the fourth Tuesday after the fourth Tuesday in February and the third Tuesday in September; for the Davenport division, at Davenport on the eighth Tuesday after the fourth Tuesday in February and the second Tuesday after the third Tuesday in September; and for the Ottumwa division, at Ottumwa on the second Tuesday after the fourth Tuesday in February and the fourth Tuesday after the third Tuesday in September.

"The clerk of the court for said district shall maintain an office in charge of himself or a deputy at Davenport and at Ottumwa for the transaction of the business of said divisions."

Mr. STAFFORD. Mr. Speaker, reserving the right to object, will the gentleman from Iowa or some member of the committee inform the House how far Mason City is from Fort Dodge?

Mr. HAUGEN. It is 73 miles. Mason City is in the northwest corner of the district and Fort Dodge is in the northwest corner. Mason City has railroad facilities and is one of the largest railroad centers in the State and is more accessible to a majority of the people in the district.

Mr. STAFFORD. Has this the approval of the Department of Justice?

Mr. HAUGEN. It has not been submitted, but I know of no objection to it.

Mr. STAFFORD. Has it the approval of the district judge?

Mr. HAUGEN. I have not taken it up with the judge, but the bar has passed a resolution asking—

Mr. BLANTON. The gentleman ought to answer the question of whether it has the approval of the judge and the district attorney.

Mr. HAUGEN. I have not asked the approval of the department. It is a matter that is generally conceded because of the location, which makes it advantageous to the people of that community and the attorneys as well. I trust there will be no objection to it. I know of no objection.

Mr. BLANTON. Mr. Speaker, until the judge approves of it, I object.

The SPEAKER pro tempore. Objection is heard.

STATUE BY JOSÉ CLARA, PERSONIFYING "SERENITY."

The next business on the Calendar for Unanimous Consent was S. J. Res. 242, authorizing the erection on public grounds in the District of Columbia of a statue by José Clara, personifying "Serenity."

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. HERRICK. I object.

BRIDGE ACROSS THE RIO GRANDE.

The next business in order on the Calendar for Unanimous Consent was the bill (H. R. 12378) granting the consent of Congress to maintain a bridge across the Rio Grande River.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of this bill? [After a pause.] The Chair hears none. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to F. M. Rose, E. F. Measles, D. Newton, H. M. Hutchinson, and B. G. Stafford, comprising a copartnership known as the San Felipe

Bridge Co., and their successors and assigns, to maintain and operate a bridge and approaches thereto across the Rio Grande River at or near the city of Del Rio, State of Texas, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

Sec. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The committee amendments were read as follows:

Page 1, line 3, after the word "to" strike out "F. M. Rose, E. F. Measles, D. Newton, H. M. Hutchinson, and B. G. Stafford, comprising a partnership known as the San Felipe Bridge Co., and their," and insert "the Citizens' Bridge Co., a corporation, and its."

Page 2, after the figures "1906" in line 2 insert: "Provided, That the authority hereby granted shall terminate and end on the 1st day of July, 1925, if within that time the Del Rio & Las Vacas Bridge Co., a copartnership organized and entered into under the laws of the State of Texas, shall construct and complete a bridge at or near said location in accordance with the authority given to said copartnership by the act entitled 'An act to authorize the construction of a bridge over the Rio Grande between the cities of Del Rio, Tex., and Las Vacas, Mexico,' approved July 1, 1922: *Provided further*, That nothing herein shall operate to extend the time within which said Del Rio & Las Vacas Bridge Co. is required by the act approved July 1, 1922, to begin and complete said bridge."

The question was taken and the committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read the third time, was read the third time, and passed.

#### EXTENSION OF REMARKS.

Mr. BOX. Mr. Speaker, I ask unanimous consent to revise and extend my remarks on H. J. Res. 171.

The SPEAKER pro tempore. The gentleman from Texas asks unanimous consent to revise and extend his remarks in the manner indicated. Is there objection?

Mr. SHAW. I object.

Mr. FESS. Mr. Speaker, I ask unanimous consent that Calendar No. 562 retain its place on the calendar, objected to awhile ago.

The SPEAKER pro tempore. The gentleman from Ohio asks unanimous consent that No. 562 retain its place on the calendar.

Mr. GARRETT of Tennessee. That would not be of any value; there is no chance of its being considered any more.

DEATH OF HON. W. BOURKE COCKRAN, REPRESENTATIVE FROM NEW YORK.

Mr. RIORDAN. Mr. Speaker, it becomes my painful duty to report to the House the death of my colleague, Hon. W. Bourke Cockran, Representative from the State of New York.

At this late hour of the day and at this late day of the session there is only opportunity now to offer this resolution of adjournment. At the first suitable opportunity I shall ask for occasion for the House to pay tribute to his memory. I offer the following resolution, which I send to the Clerk's desk.

The SPEAKER pro tempore. The gentleman from New York offers a resolution, which the Clerk will report.

The Clerk read as follows:

*Resolved*, That the House has heard with profound sorrow of the death of Hon. W. BOURKE COCKRAN, Representative from the State of New York.

*Resolved*, That a committee of 20 Members of the House, with such Members of the Senate as may be joined, be appointed to attend the funeral.

*Resolved*, That the Sergeant at Arms be authorized and directed to take such steps as may be necessary for carrying out the provisions of these resolutions, and that the necessary expenses in connection therewith be paid out of the contingent fund of the House.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

The SPEAKER pro tempore. The Chair appoints the following committee to attend the funeral: Mr. RIORDAN, Mr. MOTT, Mr. CAREW, Mr. SIEGEL, Mr. SULLIVAN, Mr. KLINE of New York, Mr. LONDON, Mr. GRIFFIN, Mr. MEAD, Mr. OLIVER, Mr. DALE, Mr. TUCKER, Mr. FISH, Mr. LINTHICUM, Mr. FAIRCHILD, Mr. SARATH, Mr. CONNALLY of Texas, Mr. TEN EYCK, Mr. CHANDLER of New York, and Mr. JONES of Texas.

#### ADJOURNMENT.

The SPEAKER pro tempore. The Clerk will report the additional resolution.

The Clerk read as follows:

*Resolved*, That as a further mark of respect this House do now adjourn.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to: accordingly (at 5 o'clock and 45 minutes p. m.) the House adjourned, under the order previously made, until to-morrow, Friday, March 2, 1923, at 11 o'clock a. m.

## EXECUTIVE COMMUNICATIONS, ETC.

1025. Under clause 2 of Rule XXIV, a letter from the Secretary of the Navy, transmitting a schedule of claims paid from the appropriation "Pay, miscellaneous," during the fiscal year 1922 for damages to private property for which men in the naval service and the Marine Corps have been found to be responsible, was taken from the Speaker's table and referred to the Committee on Expenditures in the Navy Department.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. SNYDER: Committee on Indian Affairs. S. 4544. An act to authorize the extension of the period of restriction against alienation on surplus lands allotted to minor members of the Kansas or Kaw Tribe of Indians in Oklahoma; without amendment (Rept. No. 1741). Referred to the Committee of the Whole House on the state of the Union.

Mr. WINSLOW: Committee on Interstate and Foreign Commerce. H. R. 14443. A bill for the relief of certain disbursing agents under the Department of Commerce; without amendment (Rept. No. 1742). Referred to the Committee of the Whole House on the state of the Union.

Mr. LANGLEY: Committee on Public Buildings and Grounds. H. J. Res. 462. A joint resolution authorizing the President of the United States to lease certain land in the District of Columbia and pay rental from revenues derived from the operation of the Government hotels for Government workers; with amendments (Rept. No. 1744). Referred to the Committee of the Whole House on the state of the Union.

Mr. SNYDER: Committee on Indian Affairs. S. 3855. An act to quiet the title to lands within Pueblo Indian land grants, and for other purposes; without amendment (Rept. No. 1748). Referred to the Committee of the Whole House on the state of the Union.

Mr. PORTER: Committee on Foreign Affairs. H. J. Res. 459. Joint resolution authorizing and requesting the Secretary of State to enter into negotiations with the Dominion of Canada with reference to the straightening and deepening of the channel of the Roseau River north of the international boundary line; without amendment (Rept. No. 1749). Referred to the House Calendar.

Mr. FORDNEY: Committee on Ways and Means. S. 4245. An act to provide the necessary organization of the customs service for an adequate administration and enforcement of the tariff act of 1922 and all other customs revenue laws; with amendment (Rept. No. 1750). Referred to the Committee of the Whole House on the state of the Union.

Mr. MOORES of Indiana: Joint Select Committee on Disposition of Useless Executive Papers. H. Rept. 1743. A report on disposition of useless papers in the United States Veterans' Bureau. Ordered to be printed.

Mr. MOORES of Indiana: Joint Select Committee on Disposition of Useless Executive Papers. H. Rept. 1747. A report on disposition of useless papers in the United States Navy Department. Ordered to be printed.

## REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. SWING: Committee on Naval Affairs. H. R. 12340. A bill for the relief of Gordon G. MacDonald; without amendment (Rept. No. 1745). Referred to the Committee of the Whole House.

Mr. KLINE of New York: Committee on Naval Affairs. H. R. 12766. A bill for the relief of Lieut. Commander Jerome E. Morse, United States Navy, retired; without amendment (Rept. No. 1746). Referred to the Committee of the Whole House.

## PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SHAW: A bill (H. R. 14449) for the purchase of a site for a public building at Roodhouse, Ill.; to the Committee on Public Buildings and Grounds.

By Mr. MALONEY (by request): A bill (H. R. 14450) to amend section 35 of an act entitled "An act to provide a civil government for Porto Rico, and for other purposes," approved March 2, 1917; to the Committee on Insular Affairs.

By Mr. PATTERSON of New Jersey (by request): A bill (H. R. 14451) to amend section 96, chapter 5, of the act of

Congress of March 3, 1911, entitled "The Judicial Code"; to the Committee on the Judiciary.

By Mr. UPSHAW: A bill (H. R. 14452) to increase the compensation of Senators, Representatives, Delegates, and Resident Commissioners; to the Committee on the Judiciary.

By Mr. ROBSION: A bill (H. R. 14453) to abolish the Railroad Labor Board; to the Committee on Interstate and Foreign Commerce.

By Mr. VINSON: A joint resolution (H. J. Res. 463) to extend the powers of the War Finance Corporation to March 4, 1924; to the Committee on Banking and Currency.

By Mr. JOHNSON of Washington: A joint resolution (H. J. Res. 464) amending and supplementing the immigration act of May 19, 1921; to the Committee on Immigration and Naturalization.

By Mr. IRELAND: A resolution (H. Res. 569) authorizing the Clerk of the House to pay out of the contingent fund of the House to Margaret F. Kerr and Hugh S. Ryder one month's salary as clerks to the late Hon. W. Bourke Cockran; to the Committee on Accounts.

By Mr. ANDREW of Massachusetts: Memorial of the Legislature of the State of Massachusetts, relative to retirement of disabled emergency officers of the United States Army; to the Committee on Military Affairs.

Also, memorial of the Legislature of the State of Massachusetts, in favor of the ship subsidy bill, so called; to the Committee on the Merchant Marine and Fisheries.

By Mr. GALLIVAN: Memorial of the Legislature of the State of Massachusetts, favoring the ship subsidy bill; to the Committee on the Merchant Marine and Fisheries.

By Mr. ROGERS: Memorial of the Legislature of the State of Massachusetts, relative to retirement of disabled emergency officers of the United States Army; to the Committee on Military Affairs.

Also, memorial of the Legislature of the State of Massachusetts, favoring the ship subsidy bill; to the Committee on the Merchant Marine and Fisheries.

## PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BLAND of Indiana: A bill (H. R. 14454) granting a pension to Martha A. Hall; to the Committee on Invalid Pensions.

By Mr. CANTRILL: A bill (H. R. 14455) for the relief of the estate of Sigmund Luscher; to the Committee on War Claims.

By Mr. FOCHT: A bill (H. R. 14456) for the relief of the victims of the Knickerbocker Theater disaster; to the Committee on Claims.

By Mr. SNELL: A bill (H. R. 14457) granting an increase of pension to Elizabeth Gonler; to the Committee on Invalid Pensions.

## PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

7487. By the SPEAKER (by request): Petition of the convention of department of superintendence, National Education Association, urging the passage of the teachers' salary bill; to the Committee on the District of Columbia.

7488. By Mr. CHINDBLOM: Petition of Annie Greening and 1,215 other citizens of Illinois, for the passage of the legislation embodied in House Joint Resolution 412 providing for the relief of the distress and famine conditions in Germany and Austria; to the Committee on Foreign Affairs.

7489. By Mr. CRAMTON: Petition of John Meyer and other citizens of Mount Clemens, Mich., urging passage of the resolution to give aid to the people of Germany and Austria; to the Committee on Foreign Affairs.

7490. By Mr. KISSEL: Petition of the National Association of Woolen and Worsted Overseers, Webster, Mass., favoring legislation to establish greater uniformity in the hours of labor in the textile industries of the United States; to the Committee on Labor.

7491. Also, petition of National Federation of Federal Employees, Washington, D. C., urging passage of House bill 14226; to the Committee on the Judiciary.

7492. By Mr. ROUSE: Petition of 102 citizens of Campbell County, Ky., protesting against the enactment of any legislation toward the change of the present immigration laws that will permit admission of aliens other than provided by present laws; to the Committee on Immigration and Naturalization.

7493. By Mr. SINCLAIR: Petition of Northern Pacific System Lodge, No. 87, Brotherhood Railroad Signal Men of America, protesting against unrestricted immigration; to the Committee on Immigration and Naturalization.

7494. By Mr. SMITH of Michigan: Petition of Battle Creek Trades and Labor Council, of Battle Creek, Mich., urging restriction of immigration; to the Committee on Immigration and Naturalization.

## SENATE.

FRIDAY, March 2, 1923.

The Senate met at 11 o'clock a. m.

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

Our Father, we bless Thee for the privileges continued unto us, for all the mercies with which Thou art crowning our days, for the opportunities of service for a loved country, and for the high honor of being related to Thee in all the duties and obligations of life. Hear us this morning; be with us constantly; and ever help us to realize Thy presence. We ask through Jesus Christ, our Lord. Amen.

The reading clerk proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

### CALL OF THE ROLL.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Fernald	Lodge	Shields
Ball	Frelinghuysen	McCormick	Shortridge
Bayard	George	McCumber	Smith
Borah	Gerry	McKellar	Smoot
Brandegee	Glass	McKinley	Spencer
Brookhart	Gooding	McNary	Stanley
Bursum	Hale	Moses	Sterling
Calder	Harrell	Myers	Sutherland
Cameron	Harris	New	Swanson
Capper	Harrison	Norbeck	Townsend
Caraway	Heflin	Norris	Wadsworth
Cole	Johnson	Oddie	Walsh, Mass.
Couzens	Jones, N. Mex.	Overman	Walsh, Mont.
Culberson	Jones, Wash.	Page	Warren
Cummins	Kellogg	Philpps	Watson
Curtis	Kendrick	Pittman	Weller
Dial	King	Ransdell	Willis
Dillingham	Ladd	Reed, Pa.	
Edge	La Follette	Robinson	
Ernst	Lenroot	Sheppard	

Mr. CALDER. I wish to announce the absence of the Senator from Connecticut [Mr. McLEAN], the Senator from Pennsylvania [Mr. PEPPER], the Senator from Oklahoma [Mr. OWEN], and the Senator from Nebraska [Mr. HITCHCOCK] on business of the Senate.

Mr. PHIPPS. I desire to announce the absence of my colleague [Mr. NICHOLSON] on account of illness.

The PRESIDING OFFICER (Mr. JONES of Washington in the chair). Seventy-seven Senators have answered to their names. There is a quorum present.

### PROPOSED CONSIDERATION OF THE CALENDAR.

Mr. CURTIS. Mr. President, before we proceed to routine morning business, I would like to submit a request for a unanimous-consent agreement. I ask unanimous consent that at the conclusion of the routine morning business the calendar be called for unobjectioned House bills and unobjectioned Senate resolutions until they are completed or not later than 1 o'clock.

The PRESIDING OFFICER. The Senator from Kansas asks unanimous consent that at the conclusion of the routine morning business the Senate proceed to the calendar for the consideration of unobjectioned House bills and unobjectioned Senate resolutions. Is there objection?

Mr. CUMMINS. Does the Senator from Kansas mean that we are to begin at the beginning of the calendar?

Mr. CURTIS. No; to begin where we left off at the last call.

The PRESIDING OFFICER. Beginning with calendar No. 1035.

Mr. SUTHERLAND. I should like to ask whether that would include unobjectioned joint resolutions?

Mr. CURTIS. No; I said Senate resolutions. If a joint resolution has passed the House the request would include it, but not otherwise.

Mr. SUTHERLAND. Would it not be well to include all joint resolutions?

Mr. CURTIS. Very well; I will include unobjectioned joint resolutions.

Mr. KING. May I inquire of the Senator why he discriminates against Senate bills and in favor of Senate joint resolutions or Senate resolutions?

Mr. CURTIS. The House has been holding night sessions to pass Senate bills. There are quite a number of House bills on the Senate calendar. In my judgment, no bill can pass at this session that has not already passed one House or the other. I think it would be useless to pass a Senate bill at this time, because it would be impossible to get it through the House before Sunday. I believe we owe it to the House to dispose of their measures.

Mr. KING. When the Senator says House bills he means reported bills?

Mr. CURTIS. I mean those reported and on the calendar.

Mr. HARRISON. Mr. President, I have a bill on the calendar that is a private measure and there can not be any objection to it. It has not passed the House, and that bill can not come up for consideration under the proposed agreement.

Mr. CURTIS. After we have concluded the call of the calendar under the unanimous-consent agreement the Senator could ask unanimous consent to take up his bill. I do not suppose anyone would object to its consideration.

Mr. HARRISON. That might be a long time off. I think I shall object to the request of the Senator from Kansas.

The PRESIDING OFFICER. The Senator from Mississippi objects.

Mr. CURTIS. Then I ask unanimous consent that at the conclusion of the routine morning business, the Senate shall proceed to the consideration of unobjectioned bills and resolutions on the calendar, beginning where we left off at the last call of the calendar.

The PRESIDING OFFICER. The Senator from Kansas asks unanimous consent that at the conclusion of the routine morning business, the Senate shall proceed to the consideration of unobjectioned bills and resolutions on the calendar, beginning at Calendar No. 1035. Is there objection?

Mr. McKELLAR. I object.

The PRESIDING OFFICER. The Senator from Tennessee objects.

### SUGAR PRICES AS AFFECTED BY THE FORDNEY-McCUMBER TARIFF.

Mr. WALSH of Massachusetts. Mr. President, recent information of a further advance in the price of sugar suggests the appropriateness of calling the attention of the public to the effect of the tariff in increasing the price of sugar since the passage of the Fordney-McCumber tariff law.

When the Fordney-McCumber law became effective last September, the wholesale price of refined sugar was 6.25 cents per pound. It is now 9 cents, or about 44 per cent price increase in five months. This is the highest price sugar has reached in the last 40 years, with the exception of five months in 1919 and the average price for 1920. It is interesting to compare the New York refined price announced February 3, 1923, with the average price for recent years: The average for 1922 was 5.904 cents; for 1921, 6.207 cents; for 1920, 11.309 cents; from August 12 to December 31, 1919, 9.003 cents.

The present wholesale price of 9 cents is the highest since 1883, with the exception of five months in 1919, and the average for 1920, as I have said before, which was the peak period of war-time inflation. The retail price is now 10 cents per pound in New York, and from 11 to 12 cents per pound in other parts of the United States.

The present tariff is responsible for 2 cents per pound of this increase price, according to the United States Sugar Association. I request that a recent letter and review of this question published by this association be printed in the Record.

Mr. SMOOT. Mr. President, if that is to go into the Record, I simply want to say that if time permits, I shall answer not only the article that is to go into the Record but circulars that have been sent out by the refiners of the country, which are filled full of lies.

Mr. WALSH of Massachusetts. I assumed the Senator would say it was all a lie; but a categorical denial is not an answer. I hope the Senator will answer, if he can, the claim that the Republican tariff is responsible for the present high price of sugar. I am asking to have this communication inserted in the Record this morning because of comments in the press of the country to-day with reference to the very high increase in the price of sugar recently announced.

Mr. SMOOT. As I said the other day, before the Fordney-McCumber Tariff Act went into effect sugar in Cuba sold at \$1.67 per hundred. What is it selling for to-day in Cuba?